

CITY OF SAN ANTONIO

Zoning Commission Agenda

Cliff Morton Development and Business Services Center
1901 S. Alamo Street
First Floor

July 7, 2009
Tuesday, 12:45 PM

ZONING COMMISSIONERS

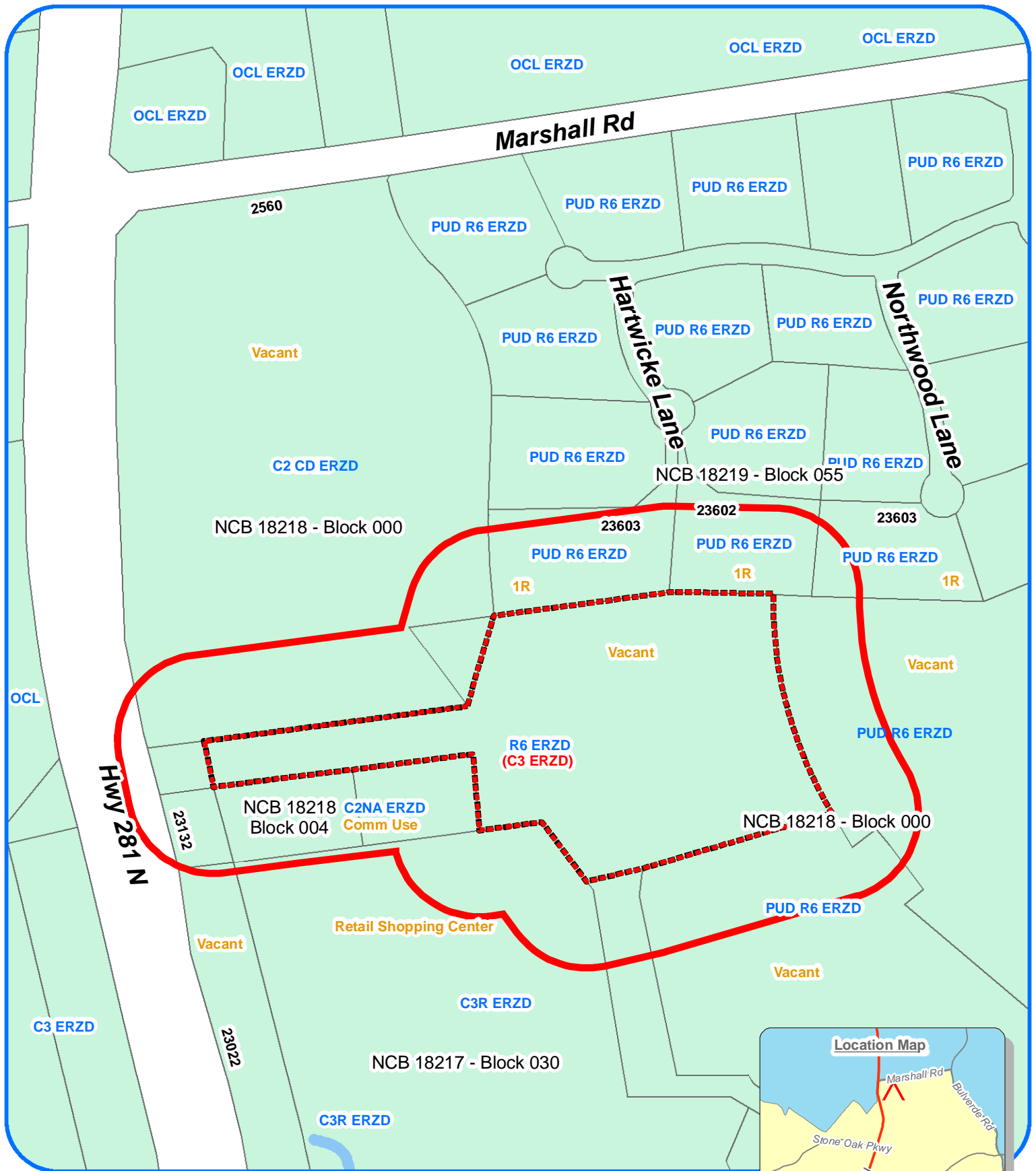
Michael Westheimer – District 1	Vacant – District 7
Barbara Hawkins – District 2	Ramiro Valadez, III – District 8
Jim Myers – District 4	Susan Wright – District 9
Joe Valadez – District 5	Milton R. McFarland – District 10
Christopher Martinez – District 6	James Gray – District Mayor
Don Gadberry – District 3	
Chairman	

1. **12:45 P.M. Tobin Room** - Work Session on related items and discussion of policies and administrative procedures and any items for consideration on the agenda for July 7, 2009.
2. 1:00 P.M. Board Room– Call to Order
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of June 16, 2009 and revised May 5, 2009 Zoning Commission Minutes.
6. **ZONING CASE NUMBER Z2008064 ERZD:** A request for a change in zoning from “R-6” ERZD Residential Single Family Edwards Recharge Zone District to “C-3” ERZD General Commercial Edwards Recharge Zone District on Parcel 25A and Parcel 27, NCB 18218, save and except 0.4592 acres out of NCB 18218, 23000 Block of US Highway 281 North. (Council District 9)
7. **ZONING CASE NUMBER Z2009076 ERZD:** A request for a change in zoning from “NP-10 ERZD MLOD-1” Neighborhood Preservation Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 and “QD S ERZD MLOD-1” Quarry Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 with a Specific Use Authorization for Blasting to “MPCD ERZD MLOD-1” Master Planned Community Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 on 389.53 acres out of NCB 19221, 19101 North US Highway 281 and 19300 Classen Crest. (Council District 9)
8. **ZONING CASE NUMBER Z2009022 S:** A request for a change in zoning from “C-3” General Commercial District and “MH” Manufactured Housing District to “I-1 S” General Industrial District with a Specific Use Authorization for Millwork and Wood Products Manufacturing on Parcel 52 and Parcel 52a, NCB 15613, 8664 Quintana Road. (Council District 4)

9. **ZONING CASE NUMBER Z2009094:** A request for a change in zoning from “R-4” Residential Single-Family District and “I-1” General Industrial District to “C-2” Commercial District on Lots 42, 43, 44, 87 and 88, Block 9, NCB 3128 and Lot A-15, NCB 3852, 2701 South Presa Street. (Council District 5)
10. **ZONING CASE NUMBER Z2009112 CD:** A request for a change in zoning from “R-4” Residential Single Family District to “R-4 CD” Residential Single Family District with a Conditional Use to allow a Professional Office on Lot F, Block 100, NCB 3368, 1044 Bailey Avenue. (Council District 3)
11. **ZONING CASE NUMBER Z2009114:** A request for a change in zoning from “MF-33” Multi-Family District to “MF-33 CD” Multi-Family District with a Conditional Use for a Fruit Stand on the east 80.7 feet of Lot 1, Block 8, NCB 768, 403 Jackson. (Council District 1)
12. **ZONING CASE NUMBER Z2009115:** A request for a change in zoning from “R-6” Residential Single Family District to “C-2” Commercial District (on 1.081 acres) and “C-3R” General Commercial Restrictive Alcohol Sales District (on 0.784 of an acre) on Parcel 30-C, NCB 15680 (0.0352 ac) and the south 61.72 feet of Lot 29, Block 5, NCB 17365; 1.081 acres out of NCB 15680 and NCB 17365 (CB 5014); and 0.559 of an acre out of NCB 15680 (CB 5014), a portion of the 13000 and 14000 blocks of Bulverde Road. (Council District 10)
13. **ZONING CASE NUMBER Z2009116 S:** A request for a change in zoning from “I-2” Heavy Industrial District to “I-2 S” Heavy Industrial District with a Specific Use Authorization to allow a Bulk Plant or Terminal on 10.31 acres out of NCB 12175, 4700 Block of IH 35 North. (Council District 2)
14. Director’s Report – No issue to report.
15. Executive Session: consultation on attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
16. **ADJOURNMENT**

Accessibility Statement

This meeting is wheelchair accessible. Accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located at the front and rear of the building. **Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting).** For Assistance, Call (210) 207-7245 Voice/TTY.



Zoning Case Notification Plan

Case Z-2008-064 ERZD

Council District 9

Scale: 1" approx. = 300'

Subject Property Legal Description(s): A Portion of Parcels P-25A and P-27 - NCB 18218 - Block 000

Legend

- Subject Property (10.6788 Acres) ■■■■■■■■■■
- 200' Notification Buffer —————
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain —————



City of San Antonio - Development Services Dept
(12/20/2007)

Final Staff Recommendation - Zoning Commission

Zoning Commission continuance (Applicant's Request)
from June 16, 2009.

Ferguson Map: 483 E3

Owner Name:

S & A Management, LLC

Zoning Request: From "R-6" ERZD Residential Single Family Edwards Recharge Zone District to "C-3" ERZD General Commercial Edwards Recharge Zone District.

Property Location: Parcel 25A and Parcel 27, NCB 18218, save and except 0.4592 acres out of NCB 18218

23000 Block of US Highway 281 North

Southeast of the intersection of Marshall Road and Highway 281 North

Proposal: To allow commercial development

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis will be required at platting or permitting

Staff Recommendation:

Approval

The subject property consists of undeveloped land with frontage on Highway 281 North (a freeway). The property is adjacent to C-2 and R-6 zoning to the north, C-2, C-3 and R-6 zoning to the south, Highway 281 North to the west and R-6 zoning to the east. The surrounding land uses consist of vacant land and the Winchester Hills Subdivision to the north; vacant land and a retail shopping center to the south; Highway 281 North to the west and North Pointe Subdivision (currently under construction) to the east. The property directly to the northwest, which is located at 2560 Marshall Road was the subject of rezoning case (Z2008038) in which the applicant was granted a zoning change from R-6 ERZD Residential Single Family Edwards Recharge Zone District and C-2 ERZD Commercial Edwards Recharge Zone District to C-2 CD ERZD Commercial Edwards Recharge Zone District with a Conditional Use for an Indoor Theater Permitting Over 2 but not exceeding 4 Screens and/or Stages.

The applicant is requesting this zoning change to allow the development of a hotel. Staff finds the request for commercial zoning to be appropriate given the subject property's location along a freeway and the prevalence of commercial zoning to the north and south. C-3 zoning is most appropriate at the intersections of major thoroughfares, arterials, commercial nodes, or along freeway frontages; the access to this parcel is one block removed from the intersection of Highway 281 North and Marshall Road, a Secondary Arterial "Type A" street as identified in the City of San Antonio Major Thoroughfare Plan. Furthermore, commercial zoning would provide opportunities for service and retail uses that would compliment and serve the extensive neighboring residential developments in the immediate area. A Type C (15 foot) landscape buffer will be required along the north, east and southeast property lines adjacent to residential zoning and uses.

SAWS Summary:

1. SAWS staff recommends approval of the proposed land use.

CASE NO: Z2008064 ERZD

Final Staff Recommendation - Zoning Commission

2. The property is classified as a Category 2 property.
3. SAWS recommends a maximum impervious cover of 50%.

CASE MANAGER : Brenda Valadez 207-7945

DEVELOPMENT SERVICES
RECEIVED

SAN ANTONIO WATER SYSTEM
Interdepartmental Correspondence Sheet

2009 MAY 28 AM 10: 04

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Patricia M. Garza, Environmental Protection Specialist III, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2008064 (Commercial Development)

Date: May 27, 2009

SUMMARY

A request for a change in zoning has been made for an approximate 11.2268-acre tract located on the city's north side. A change in zoning from **R-6 ERZD** to **C-3 ERZD** is being requested by the applicant, Brown, P.C., by Mr. Kenneth W. Brown. The change in zoning has been requested to allow for a hotel/motel development.

As of the date of this report, an official request for a site specific category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 9, off of Hwy 281 North between Marshall Road to the North and Stone Oak to the South. The entire tract lies within the Edwards Aquifer Recharge Zone. (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from R-6 ERZD to C-3 ERZD and will allow for the construction of a hotel development. Currently the site is covered in native vegetation and undeveloped.

2. Surrounding Land Uses:

Winchester Hills Subdivision is located to the north of the subject property. To the south and east of the subject property construction has started for the North Pointe Subdivision. Highway 281 bounds the west side of the property.

3. Water Pollution Abatement Plan:

The 11.686 Acre Tract Water Pollution Abatement Plan (WPAP) was approved by the Texas Commission on Environmental Quality (TCEQ) on July 11, 2008. According to the geologic assessment in the WPAP, there are no sensitive geologic features located on the site.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on November 27, 2007, and again on May 19, 2008, to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

The subject site was observed as a moderately to heavily vegetated parcel, approximately 16.433 acres in area. The entire subject site was observed to be undeveloped. Moderate exposure of bedrock was observed throughout the subject site. The exposed soil and bedrock were moderately obscured by placement of significant quantities of imported fill material.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Basal Nodular member of the Edwards and Lower Confining Unit Glen Rose Formation. Visual confirmation of this determination could not be done due to the placement of significant quantities of imported fill material throughout the subject site.

The Lower Confining Unit Glen Rose Formation is characterized by the presence of thinly bedded limestone and marl with relatively low porosity and permeability. This member is approximately 350 to 500 feet thick. This formation is the lower confining unit of the Edwards Aquifer.

The subject site was reported to be transected by an inferred fault along the northwest corner of the subject site. No visual evidence of this fault was observed on the subject site.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

General Concerns

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific Recommendations

1. The applicant agrees not to exceed 50% impervious cover for the entire site.
2. The SAWS recommendation of 50% maximum impervious cover is based on the existing R-6 zoning of the subject property. R-6 zoning was commonly used by San Antonio as a default zoning for annexed properties that were not developed at the time of annexation. The subject property is currently a Category 2, determined by SAWS and as such, under the Water Quality Ordinance No. 81491, would be entitled to 65% impervious cover. Given that the property did not require zoning prior to annexation and using Ordinance No. 81491 as a guide, SAWS worked with the applicant to achieve an impervious cover recommendation that addresses water quality protection.
3. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
4. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.

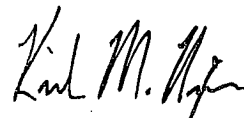
5. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S.D.A, shall be used.
6. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.
7. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.

General Recommendations

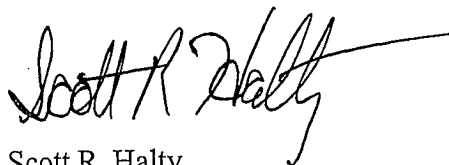
1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
 - A. Below grade basins will not be allowed on the property.

- B. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3520 to schedule a site inspection.
 - C. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3520 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
 - E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.
5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

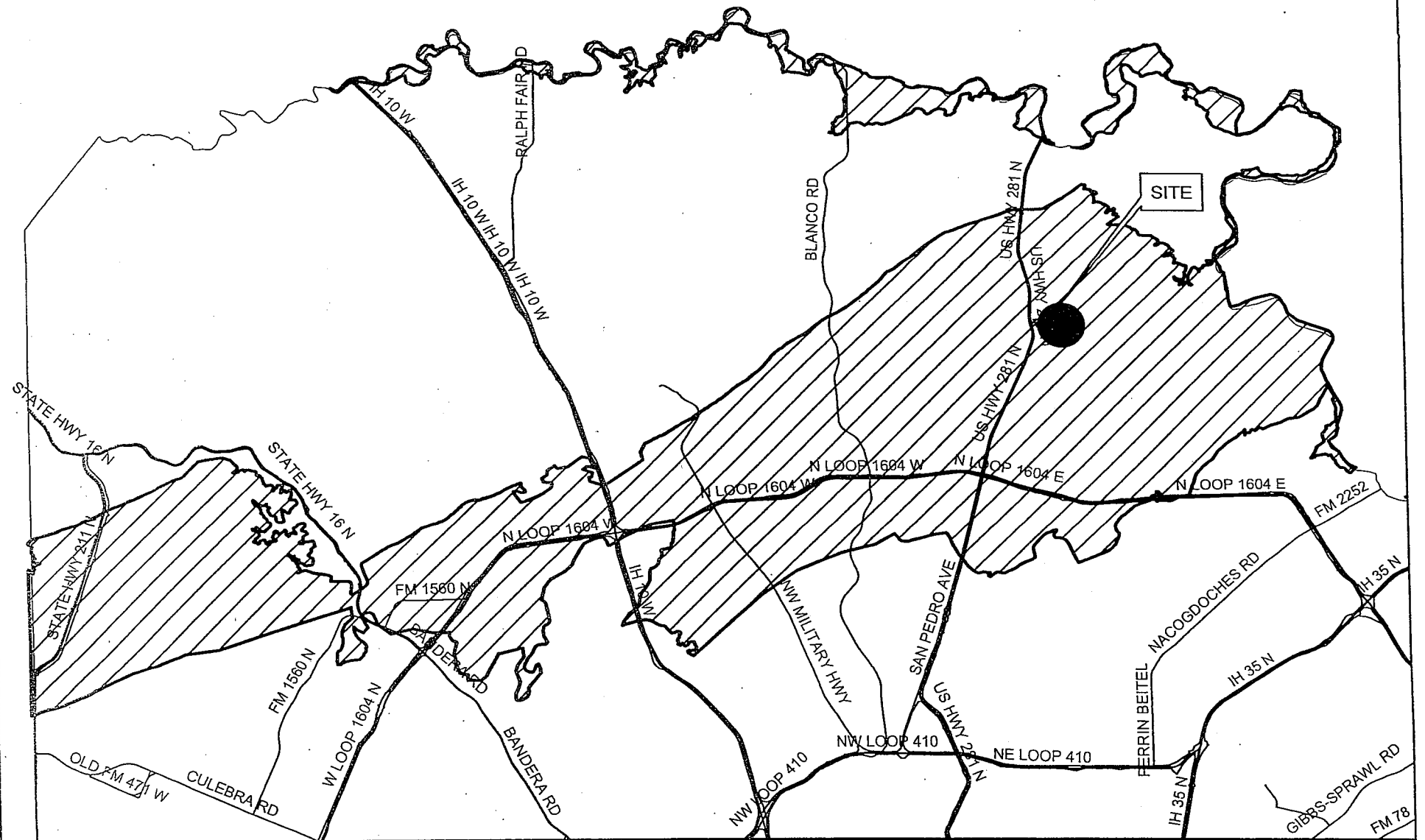

Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:PMG



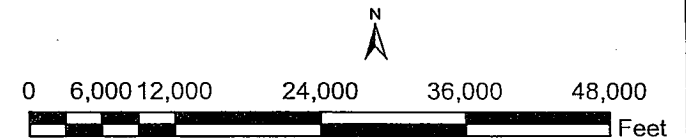
ZONING CASE: NCB 18218

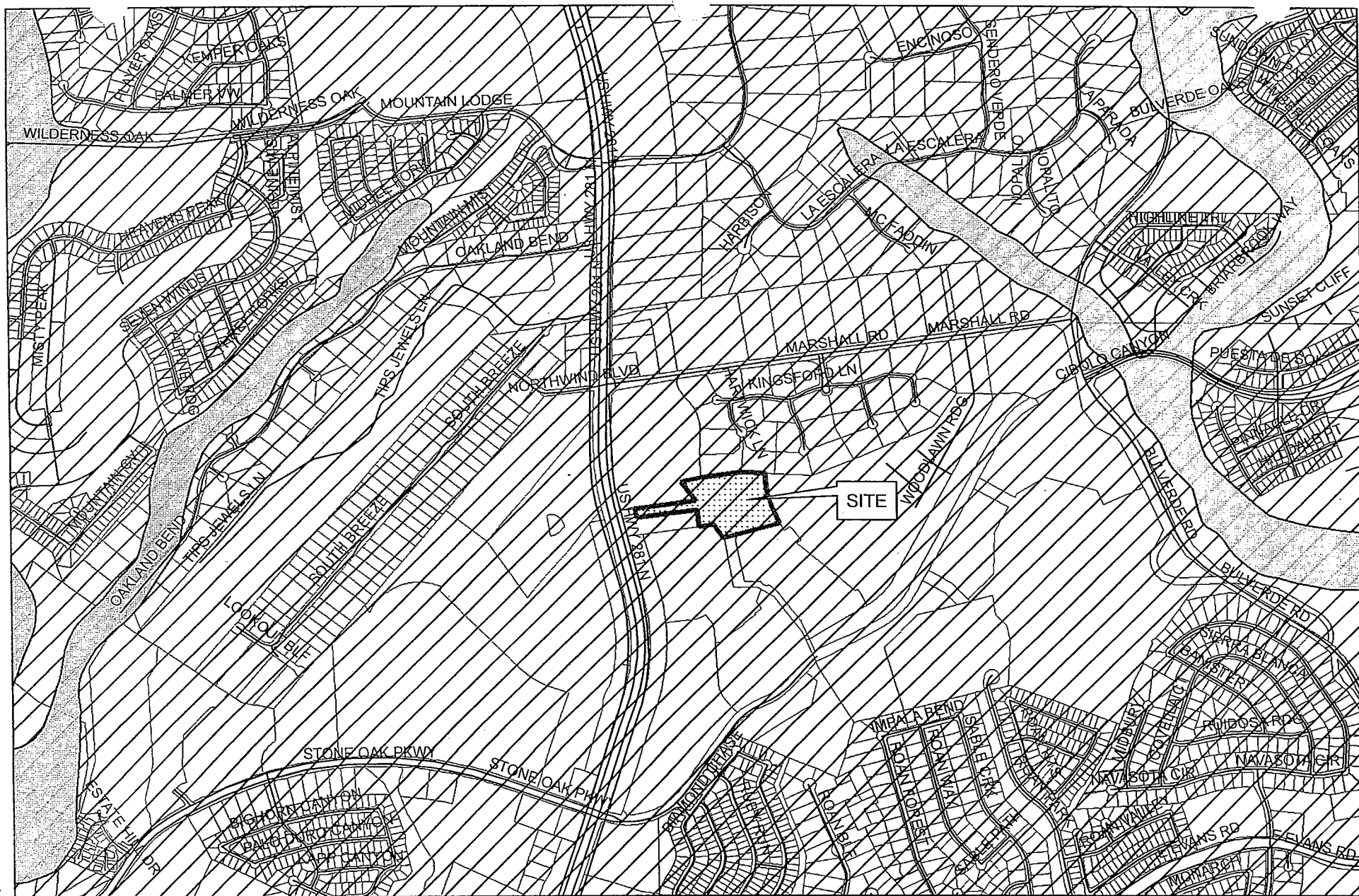
FIGURE 1

ZONING CASE ID: Z2008064

MAP PAGE: 483 E3 X=2144348 Y=13707123

Map Prepared by Aquifer Protection & Evaluation PMG 1/4/08





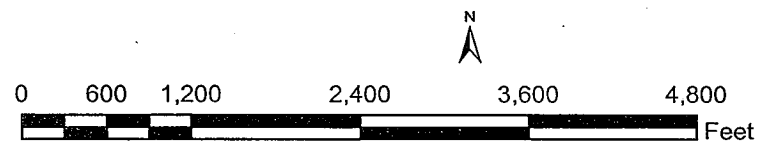
ZONING CASE: NCB 18218

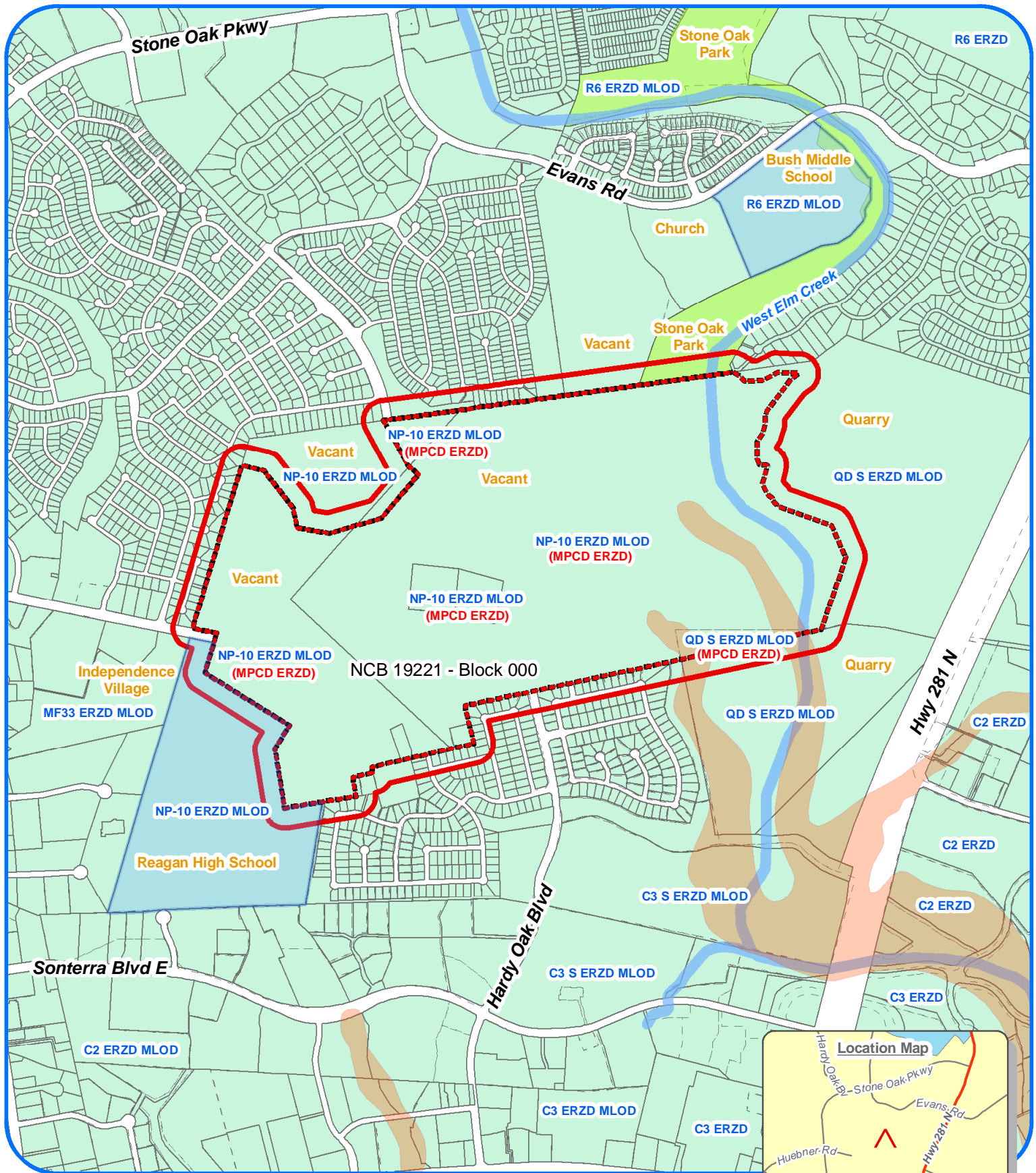
FIGURE 2

ZONING CASE ID: Z2008064

MAP PAGE: 483 E3 X=2144348 Y=13707123

Map Prepared by Aquifer Protection & Evaluation PMG 1/4/08





Zoning Case Notification Plan

Case Z-2009-076

Council District 9

Scale: 1" approx. = 1/4 Mile

Subject Property Legal Description(s): NCB 19221 - Block 000

Parcels P-1, P-2, P-1A, P-2A, P-1C, P-3B (Cemetery), P-19, P-19A, P-20, P-20A, P-22

Legend

- Subject Property (389.53 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



Note: Property is within 5 Mile Military Awareness Zone

Planning & Development Services Dept
City of San Antonio
(05/14/2009 - E Hart)

CASE NO: Z2009076 ERZD

Final Staff Recommendation - Zoning Commission

Date: July 07, 2009
Council District: 9
Ferguson Map: 483 A7,B7

Postponed by applicant on May 28, 2009. Zoning Commission continuance (Commissioner's Request) from June 16, 2009.

Applicant Name: Brown & Ortiz, P. C.
Owner Name: Steubing Ranch Ltd. Partnership and David K. & Darlene Danue

Zoning Request: From "NP-10 ERZD MLOD-1" Neighborhood Preservation Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 and "QD S ERZD MLOD-1" Quarry Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 with a Specific Use Authorization for Blasting to "MPCD ERZD MLOD-1" Master Planned Community Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1.

Property Location: 389.53 acres out of NCB 19221
19101 North US Highway 281 and 19300 Classen Crest
Area generally bound by the terminus of Hardy Oak to the north, the terminus of Huebner Road to west, the terminus of Hardy Oak to the south and North US Highway 281 to the east

Proposal: To allow for mixed use development

Neigh. Assoc. Multiple Neighborhood Associations are within 200 feet

Neigh. Plan None

TIA Statement: A Planning Level Traffic Impact Analysis has been submitted.

Staff Recommendation:

Denial

The Master Planned Community zoning district is encouraged when properties consist of large acreages and are intended for mixed land uses within a comprehensive development. This district is a special district that promotes compatibility within mixed use developments, allowing a more efficient arrangement of land uses, structures and inner-connectivity, characteristics that may be difficult to achieve when adjacent lands are zoned and developed independent of each other.

The project site, known as Steubing Ranch and consisting of about 389 acres, was annexed in December 1997 and zoned "R-A" Residence Agricultural District in January 1998 (Ord. 87259.) A small portion of the subject property was rezoned to "QD CC ERZD" Quarry Edwards Recharge Zone District with City Council approval for Blasting in November 1998 (Ord. 88788.) Upon adoption of the 2001 Unified Development Code, the existing zoning districts converted to "NP-10 ERZD" Neighborhood Preservation Edwards Recharge Zone District and "QD S ERZD" Quarry Edwards Recharge Zone District with a Specific Use Authorization for Blasting. The "MLOD-1" Camp Bullis Military Lighting Overlay District was applied to the subject property on April 2, 2009. Most of this acreage is undeveloped with the exception of family residences and a family cemetery.

Property to the north is zoned multiple residential districts, including R-5, R-6, MF-33, and PUD R-6. Property to the south of the subject property is zoned NP-10 and property immediately to the east is zoned R-6. Property to the west is zoned "QD S" Quarry District with a Specific Use Authorization for Blasting. All properties in the surrounding area are within the Edwards Recharge Zone and the Camp Bullis Military

CASE NO: Z2009076 ERZD

Final Staff Recommendation - Zoning Commission

Lighting Overlay District-1.

There is a significant amount of single family residential development to the north, east and south of the subject property. Ronald Reagan High School is located southeast of the subject property and has primary access to East Sonterra Boulevard and secondary access at the existing terminus of Huebner Road. Stone Oak Park is located northeast of the subject property along West Elm Creek. The property directly to the west is an active quarry, with access to Highway 281 South. Huebner Road, a Secondary Arterial Type A, provides direct access to Stone Oak Parkway, while Hardy Oak, also a Secondary Arterial Type A, provides connectivity to Loop 1604. The streets within the actual development may be either public or private.

The applicant has submitted the required MPCD site plan with the zoning application. As the site plan is a component of the MPCD zoning district, the City Council must also consider and take action on the site plan. Language that reflects a mandatory adherence to the site plan must be contained in the zoning ordinance. The minimum requirements of a site plan are that proposed land uses, including single and multi-family residential uses, office uses and commercial uses must be identified on the plan by location, type, density and size. Should an applicant request an amendment to an approved MPCD site plan, they may do so administratively if the city determines the amendment is a minor one. Should the amendment be a major one, the criteria being listed in Section 35-345(e)(2) of the Unified Development Code, the proposed amendment must be returned to the Zoning Commission and City Council for recommendation and approval.

The MPCD allows uses permitted in all residential, office and commercial zoning districts as illustrated in the site plan. The proposed development is to consist of about 152.22 acres of office and commercial uses, with 59.53 acres of single-family residential uses. Approximately 155.63 acres of the subject property will be designated as open space. The amount of open space is determined, by percentage, based on the acreage of residential and non-residential land uses. Most of the non-residential uses will be located along the frontages and at the intersection of the proposed extensions of Hardy Oak Boulevard and Huebner Road. The majority of the single-family residential uses will be oriented along the west side of the proposed extension of Hardy Oak Boulevard, north of the proposed Huebner Road extension. The remaining single-family residential uses are located at the southwest quadrant of the subject property and may continue to be used by Steubing Ranch as the family residence.

Staff has significant concerns over the lack of an appropriate balance of commercial and residential uses within the site plan. The MPCD site plan does not indicate areas proposed for mixed uses, which are encouraged within an MPCD to promote compatibility between uses and inner-connectivity. The site plan indicates that a high concentration of commercial uses will be located west of the proposed extension of Hardy Oak and south of the proposed extension of Huebner Road, surrounded by multiple established single-family neighborhoods and Ronald Reagan High School. The proposed site plan would allow commercial encroachment into existing residential neighborhoods and would push commercial development further west away from Highway 281 North. There are also significant flood plain issues on the subject property, which could impede future development.

In addition to compatibility of uses, staff has concerns with the lack of connectivity to major thoroughfares. There are currently no major thoroughfares or streets running through the property. The developer of the Steubing Ranch property will be required to build thoroughfares in accordance with the City of San Antonio Major Thoroughfare Plan. If allowed to build according to the site plan, Hardy Oak would extend to the northern property line of the subject property and would end in a turn around. Hardy Oak would not connect to Knight's Cross unless the paper street between the Steubing Ranch property line and Knight's Cross is built out by the City of San Antonio. If allowed to build according to the site plan, Huebner Road would extend to the southeast property line of the subject property and would end in a turn around. Huebner Road would not connect to Highway 281 North until the existing quarry ceases operations and is developed in accordance with the major thoroughfare plan. Commercial uses are most appropriate along the frontage of highways or at the intersections of major thoroughfares; consequently allowing land uses that rely on a high traffic count and major visibility in order to remain viable. Until connectivity to Knight's Cross and Highway 281 North are achieved, commercial traffic will bleed into abutting residential neighborhoods.

CASE NO: Z2009076 ERZD

Final Staff Recommendation - Zoning Commission

Given the subject property's proximity to both the residential uses and zoning districts to the north, east and south; as well as the lack of an efficient arrangement of land uses, structures and inner-connectivity, and lack of connectivity to Highway 281 North and Knight's Cross, staff believes that the submitted MPCD zoning site plan is inappropriate for the subject property.

Staff believes an MPCD zoning designation is appropriate for the subject property; however, the site plan as submitted does not depict the best mix of uses for the neighborhood. However, staff may consider approval of the zoning request if changes are made to the site plan that will reflect one of the following suggestions:

1. Identify a mixed use land use category and locate the mixed uses as a transition between the existing residential neighborhoods and more intense commercial uses to the east toward Highway 281 North.
2. Provide a ratio of multifamily to commercial uses within the areas currently identified as commercial that is more compatible with the existing neighborhoods.

The subject property is located within the Camp Bullis Awareness Zone/ Military Influence Area. In accordance with the signed Memorandum of Understanding between Fort Sam Houston and the City of San Antonio, Staff provided the Military with a copy of the rezoning request for review and comment. The Military's concerns on this proposed development's compatibility with the Camp Bullis installation would be addressed if:

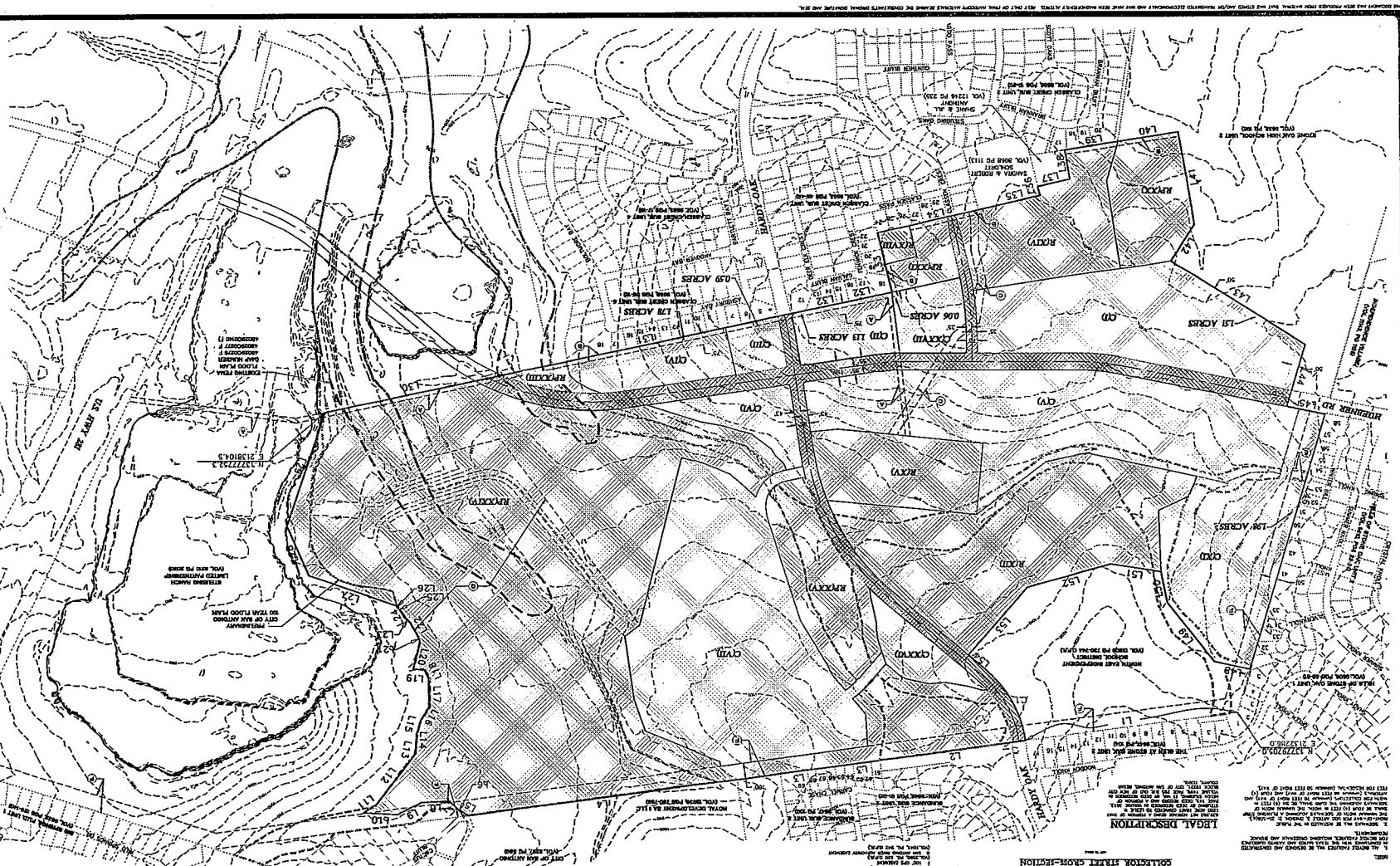
1. The developer provide appropriate documentation of recent endangered species surveys (not older than three years) conducted by a professional biological consultant using IAW USFWS protocols showing no endangered species occupy the subject property.
2. The developer sends the surveys described in #1 above to US Fish and Wildlife Service Ecological Services Office in Austin.
3. The developer commits to comply with dark sky lighting requirements in the City's Military Light Overlay District regardless of whether they are grandfathered.

SAWS Summary

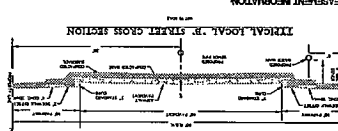
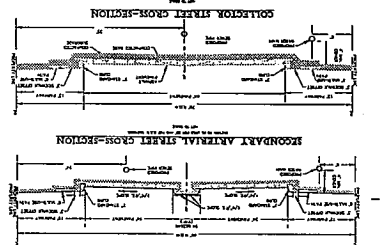
1. SAWS recommends approval of the proposed land use.
2. SAWS currently identifies the subject property as a Category 2 property.
3. SAWS does not have an impervious cover recommendation for the subject property, however, they recommend a maximum impervious cover of 43.2% for the entire site - 651 acres as described in the approved Steubing Ranch Master Development Plan.

CASE MANAGER : Leslie Zavala 207-0215

THIS PLAN IS NOT VALID UNLESS IT IS ACCOMPANIED BY THE ORIGINAL SURVEY RECORD AND A COPY OF THE SURVEY RECORD IS FILED IN THE PUBLIC RECORDS OF THE COUNTY OF LOS ANGELES.



LEGAL DESCRIPTION
The following is a legal description of the property shown on this plan, as recorded in the Public Records of the County of Los Angeles, Book 10, Page 1000.
The property is located in the City of Los Angeles, County of Los Angeles, and is bounded by the following:
North: 100.00 feet of the line of the Los Angeles River.
East: 100.00 feet of the line of the Los Angeles River.
South: 100.00 feet of the line of the Los Angeles River.
West: 100.00 feet of the line of the Los Angeles River.
The property is shown on this plan as being bounded by the following:
North: 100.00 feet of the line of the Los Angeles River.
East: 100.00 feet of the line of the Los Angeles River.
South: 100.00 feet of the line of the Los Angeles River.
West: 100.00 feet of the line of the Los Angeles River.



SECTION	AREA	LAND USE	DEVELOPMENT DENSITY
1	100.00 AC.	RESIDENTIAL	100.00
2	100.00 AC.	RESIDENTIAL	100.00
3	100.00 AC.	RESIDENTIAL	100.00
4	100.00 AC.	RESIDENTIAL	100.00
5	100.00 AC.	RESIDENTIAL	100.00
6	100.00 AC.	RESIDENTIAL	100.00
7	100.00 AC.	RESIDENTIAL	100.00
8	100.00 AC.	RESIDENTIAL	100.00
9	100.00 AC.	RESIDENTIAL	100.00
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12	100.00 AC.	RESIDENTIAL	100.00
13	100.00 AC.	RESIDENTIAL	100.00
14	100.00 AC.	RESIDENTIAL	100.00
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20	100.00 AC.	RESIDENTIAL	100.00
21	100.00 AC.	RESIDENTIAL	100.00
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92	100.00 AC.	RESIDENTIAL	100.00
93	100.00 AC.	RESIDENTIAL	100.00
94	100.00 AC.	RESIDENTIAL	100.00
95	100.00 AC.	RESIDENTIAL	100.00
96	100.00 AC.	RESIDENTIAL	100.00
97	100.00 AC.	RESIDENTIAL	100.00
98	100.00 AC.	RESIDENTIAL	100.00
99	100.00 AC.	RESIDENTIAL	100.00
100	100.00 AC.	RESIDENTIAL	100.00

NOTES:
1. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE CITY OF LOS ANGELES PLANNING DEPARTMENT AND THE LOS ANGELES COUNTY PLANNING DEPARTMENT.
2. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOS ANGELES COUNTY PLANNING DEPARTMENT AND THE LOS ANGELES COUNTY PUBLIC WORKS DEPARTMENT.
3. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOS ANGELES COUNTY PLANNING DEPARTMENT AND THE LOS ANGELES COUNTY PUBLIC WORKS DEPARTMENT.
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9. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOS ANGELES COUNTY PLANNING DEPARTMENT AND THE LOS ANGELES COUNTY PUBLIC WORKS DEPARTMENT.
10. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOS ANGELES COUNTY PLANNING DEPARTMENT AND THE LOS ANGELES COUNTY PUBLIC WORKS DEPARTMENT.

DATE: 05/05/08
DRAWN BY: JLD
CHECKED BY: JLD
SCALE: 1"=300'

STEUBING RANCH
#025A-08
MASTER PLANNED COMMUNITY DISTRICT PLAN

PAPE-DAWSON
ENGINEERS

225 EAST MARKET | SAN ANTONIO TEXAS 78214 | PHONE: 210.775.0000
FAX: 210.775.0000

**SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet**

RECEIVED
09 JUN 11 AM 10:19

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

LAND DEVELOPMENT
SERVICES DIVISION

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Mike Barr, Environmental Protection Specialist III, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2009076 (Steubing Ranch)

Date: June 11, 2009

SUMMARY

A request for a change in zoning has been made for an approximate 389.53-acre tract located on the city's north side. A change in zoning from **NP-10 ERZD** to **MPCD ERZD** is being requested by the applicant, Brown & Ortiz, P.C. Attorneys at Law. The change in zoning has been requested to allow for a master planned development that includes residential, commercial, multi-family, and open space. The property is classified as Category 2 property.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the City Council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 9, near the intersection of U.S. Hwy 281 and north of Sonterra Blvd. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from NP-10 ERZD to MPCD ERZD and will allow for the construction of a master planned community. Currently the site is undeveloped and covered in native vegetation.

2. Surrounding Land Uses:

Residential development surrounds the tract to the north, west, and east. This includes Champion Springs, The Glen at Stone Oak, The Hills of Stone Oak, Stone Creek, Iron Mountain Ranch, and Quarry at Iron Mountain Subdivisions. The tract is bound on the east by undeveloped land and an active quarry.

3. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to the commencement of construction.

4. Geologic Conditions:

The Resource Protection and Compliance Department of the San Antonio Water System performed a review of the subject property on April 15, 2009. Because of the size of the property, the geologic assessment performed by Pape-Dawson was also used to evaluate the property.

- A. The Steubing Ranch is a family homestead for a ranching operation. There is a residence located at the entrance at the southeast corner of the lot and is within a hundred yards of a family cemetery. There is one other household residence located in the central portion of the property. The property appears to have had clearing performed for the ranching operation.

The site is characterized by small hills located on the north side of the property and the southwest boundary of the subject site. The eastern half of the property is bounded by Mud Creek and a small tributary extends into the central portion of the property. Stormwater runoff flows generally to both tributaries of the Mud Creek and flows to the southeast.

- B. The entire property is represented by the lower half of the Edwards Group. The three members shown are the Grainstone Member, the Kirschberg Evaporite, and the Dolomitic Member which make up the Kainer Formation.

The Grainstone Member is a white marine deposited limestone either a grainstone or mudstone that has undergone a recrystallization process. The recrystallization tends to reduce the amount of pore space and the permeability of the rock making it relatively less sensitive to water movement through it and less vulnerable to contamination. The thickness of the member is generally 50-60 feet.

The Kirschberg Evaporite is a marine deposited mudstone that has undergone crystallization. It contains both gypsum and anhydrite, minerals which tend to dissolve more readily creating pore space and forming some avenues for water migration within the member in the Edwards Aquifer. However, Bexar County tends to have less of these minerals than in other areas. Generally, the Kirschberg Evaporite is 50-60 feet thick.

The Dolomitic Member is a marine deposited fine grained limestone, either a mudstone or a grainstone. In terms of pore space, the Dolomitic Member relative to the other members is a moderate to low in terms of its susceptibility to the solution process. Porosity and permeability tend to form along bedding planes and structural features such as fractures and faults. The Dolomitic Member is massive and can appear very jagged when eroded. The Dolomitic Member is approximately 110 to 130 feet thick.

- C. Structurally, the Steubing Ranch site is bisected by a fault that extends from the southwest section of the property to the northeast corner of the property. Additionally, a second fault runs generally parallel to the northern boundary of the property in the same direction as the first fault. This is consistent with the predominant direction of faults mapped in the Balcones Fault Zone. The area of the fault bisecting the property, where observed did not appear to be highly sensitive due to its soil filled nature.
- D. Two solution cavities and a small sinkhole were observed on the subject property. The first solution cavity was a vertical shaft with an opening of approximately one foot in diameter and had a depth of fifteen feet. The lack of soil in the feature exhibited the ability for water to infiltrate rapidly. This feature was located on a hillside with close proximity to the central tributary of Mud Creek.

The second solution cavity was a smaller feature generally a foot to foot and a half wide opening and approximately two feet deep. The location of the feature is in a streambed and was also observed to have little soil in the build-up therefore having the potential for rapid infiltration.

The third feature is a sinkhole which is approximately 14 feet in diameter and two feet deep. The feature is located on a hillside. It is also believed to have the potential for rapid infiltration of water.

All three features will be preserved as part of the master plan.

Three water wells were located on the property. All three were observed to be in operation for the current residences on site.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

Site Specific Concerns

1. Several sensitive geologic features are located on the property and there is potential for contamination of the Edwards Aquifer.
2. Three wells were observed on the site and they are currently in operation.
3. A portion of the property lies within Mud Creek, along the eastern and southern portion, where recharge may occur.
4. MPCD Zoning allows for certain industrial land uses that are not allowed over the recharge zone. According to the applicant the land use will be single-family, multi-family, and commercial.

General Concerns

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific Recommendations

1. The impervious cover for the overall tract has been included in the exhibit for the Steubing Ranch Master Development Plan (MDP) (attachment 3). The impervious cover ranges from 0% for the green space areas to 95% for commercial areas along roadways and intersections and utilizes cluster development concepts to increase natural area protection. The overall

impervious cover for the entire 651.30 acre master plan is 43.20%. The Master Planned Community District (MPCD) includes 389.53 acres (attachment 4). The impervious cover shall not exceed 43.20% for the overall MDP site.

2. A buffer shall be provided for the three sensitive geologic features that are located on site that include geologic feature S-104 (solution cavity), S-107 (sinkhole), and S-110 (solution cavity).
3. The wells, along with any additional wells that may be located on the site must be properly plugged if need be according to the City Code Chapter 34, Division 2 Section 574 by a registered well driller.
4. A floodplain buffer shall be provided along the portions of the property that bound the creeks and drainage areas as required in Ordinance No. 81491, Section 34-913.
5. Land uses that require an industrial designation, per the permitted use table shall not be allowed on the project site.
6. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
7. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
8. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S.D.A., shall be used.
9. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of

construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the SAWS at (210) 233-3526.

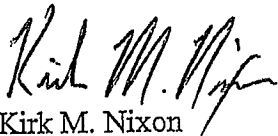
10. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

General Recommendations

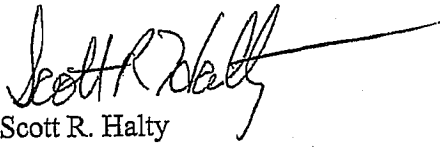
1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
 - A. Below grade basins shall not be allowed to be constructed on the site.
 - B. Prior to the start of the basin construction, the owner will notify San Antonio Water System at (210) 233-3526 to schedule a site inspection.

- C. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to San Antonio Water System, Aquifer Protection and Evaluation Section.
 - D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
 - E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the SAWS.
- 5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
 - 6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

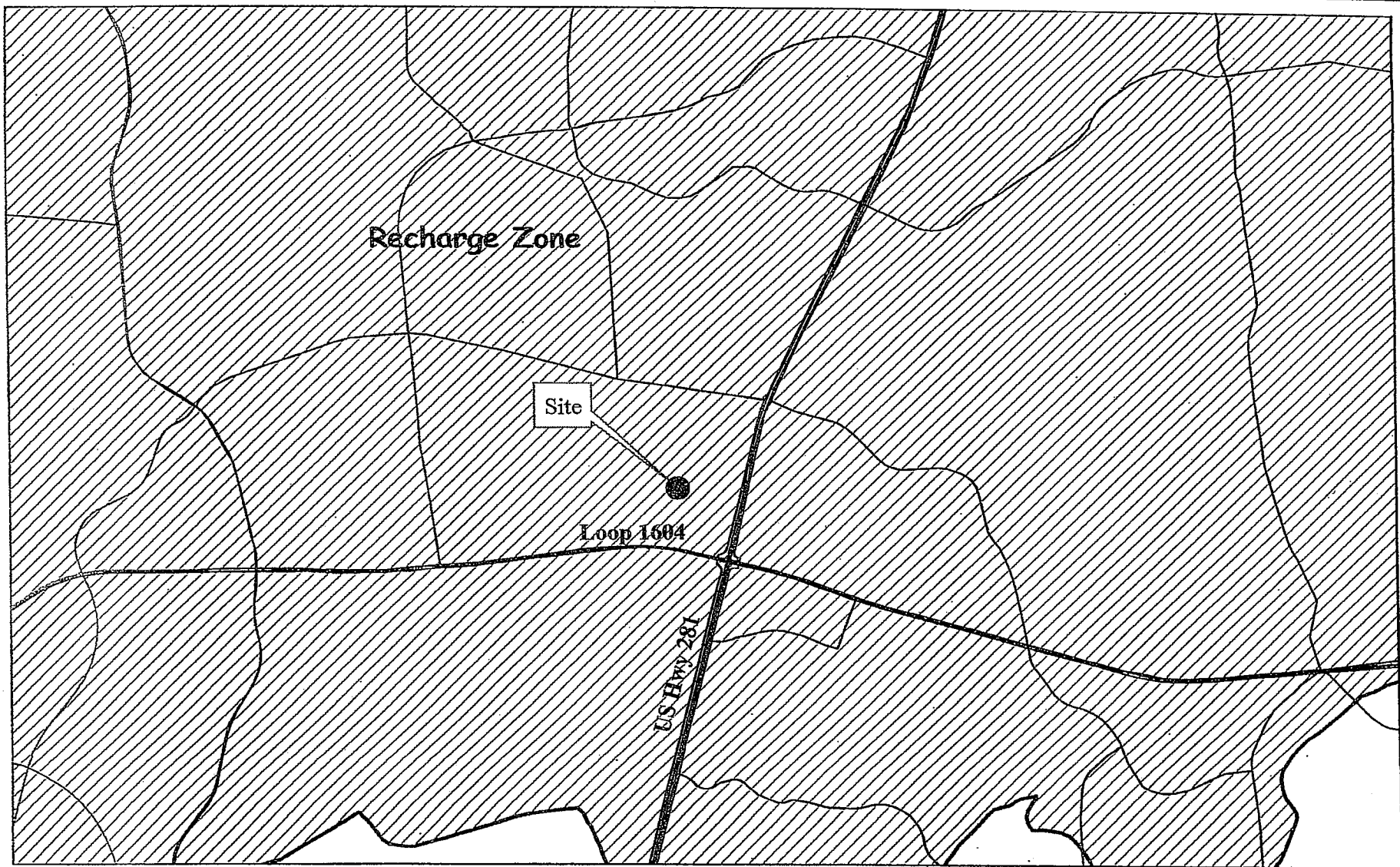
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.


Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:


Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



Zoning Case No. Z2009076 Figure 1

Steubing Ranch

Map Page 483 A7

X=2134678 Y=13776202

Map Prepared by Aquifer Protection and Evaluation MJB 5/19/2009



0 2,000 4,000 8,000 12,000 16,000 Feet

1:45,988



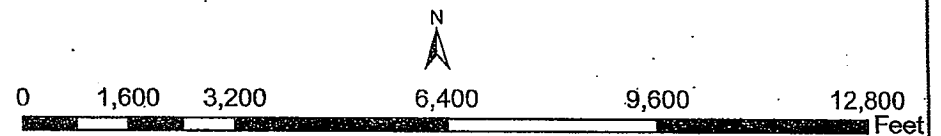
Zoning Case No. Z2009076 Figure 2

Steubing Ranch

Map Page 483 A7

X=2134678 Y=13776202

Map Prepared by Aquifer Protection and Evaluation MJB 5/19/2009



1:33,822

LEGEND

- 75% ALLOWABLE IMPERVIOUS COVER
- 65% ALLOWABLE IMPERVIOUS COVER
- 30% ALLOWABLE IMPERVIOUS COVER

ALLOWABLE IMPERVIOUS COVER ACREAGE FOR 651.30 ACRE TRACT

49.00	AC @ 75% =	36.75
182.70	AC @ 65% =	118.75
419.60	AC @ 30% =	125.88
TOTAL = 281.38 ACRES		

ALLOWABLE PERCENT IMPERVIOUS COVER FOR 651.30 ACRE TRACT

= 281.38 / 651.30
= 43.20%

LEGEND

- 95% IMPERVIOUS COVER
- 80% IMPERVIOUS COVER
- 75% IMPERVIOUS COVER
- 65% IMPERVIOUS COVER
- 41% IMPERVIOUS COVER
- 42% IMPERVIOUS COVER
- 30% IMPERVIOUS COVER
- 100% IMPERVIOUS COVER
- 0% IMPERVIOUS COVER (FLOODPLAIN)
- 0% IMPERVIOUS COVER (GREENBELT)

PROPOSED IMPERVIOUS COVER ACREAGE FOR 651.30 ACRE TRACT

141.31	AC @ 95% =	134.24
29.01	AC @ 80% =	23.21
56.02	AC @ 75% =	42.02
1.51	AC @ 65% =	2.28
28.33	AC @ 41% =	11.62
42.55	AC @ 44% =	18.72
25.96	AC @ 30% =	7.79
283.35	AC @ 0% =	0.00
41.25	AC @ 100% =	41.25
TOTAL = 281.13 ACRES		

PROPOSED PERCENT IMPERVIOUS COVER FOR 651.30 ACRE TRACT

= 281.13 / 651.30
= 43.16%

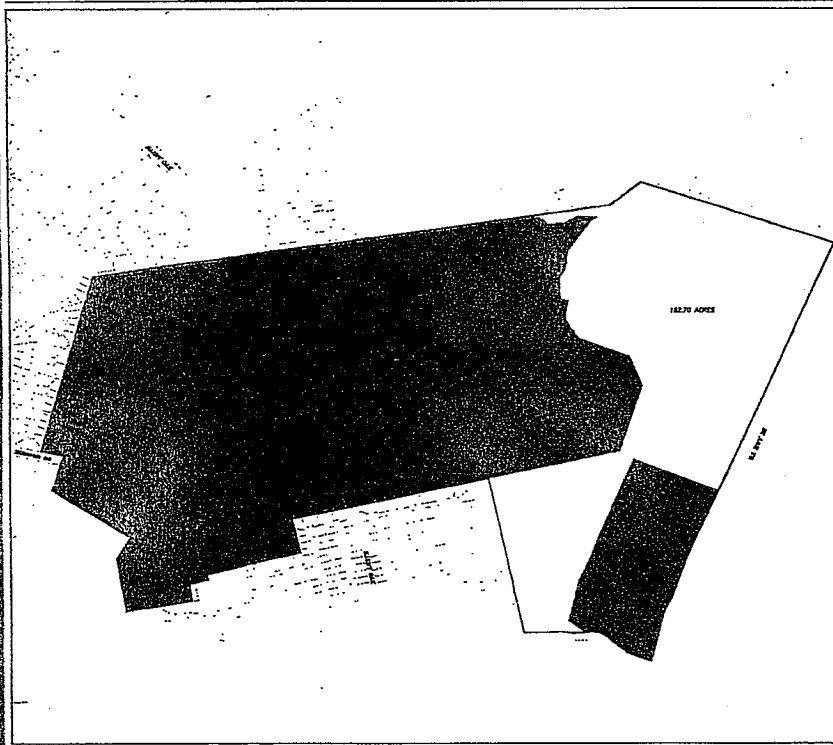
NOTES

1. IMPERVIOUS COVER CALCULATIONS ARE BASED ON MAXIMUM ALLOWABLE IMPERVIOUS COVER.
2. ACREAGE AND IMPERVIOUS COVER PERCENTAGES MAY CHANGE WITHIN ALLOWABLE LIMITS AS PERMITTED BY ORDINANCE NO. 81491.
3. DRIVEWAYS THAT PROVIDE ACCESS ACROSS OPEN SPACE ADJACENT TO STREET RIGHT-OF-WAY SHALL UTILIZE IMPERVIOUS COVER ALLOCATED TO THE PROPOSED DEVELOPMENT PARCEL.
4. IMPERVIOUS COVER AREA FOR ± 3.5 ACRE TRACT SHALL NOT EXCEED 65%.

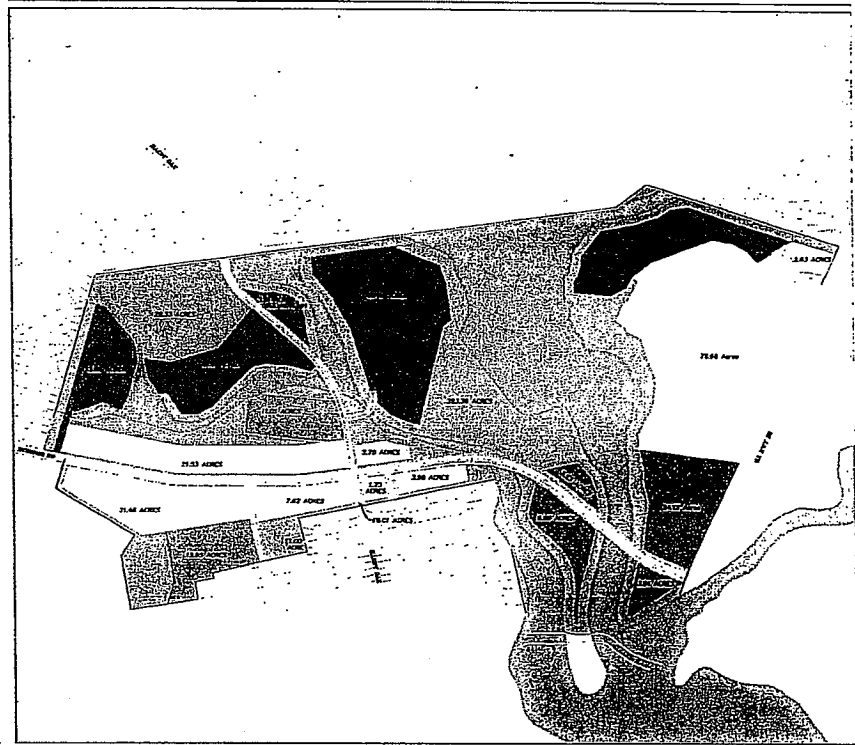


LOCATION MAP

SCALE: 1"=600'



ALLOWABLE IMPERVIOUS COVER



PROPOSED IMPERVIOUS COVER

APPROVED: SAN ANTONIO WATER SYSTEM
SEWER PROTECTION AND EVALUATION

DATE: _____

**PAPE-DAWSON
ENGINEERS**

STUEBING RANCH
IMPERVIOUS COVER MASTER PLAN EXHIBIT

JOB NO. 774-00
DATE: FEBRUARY 2006
DESIGNER: CAC
CHECKED: J. M. DAWSON, P.E.
SHEET



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT SAM HOUSTON
1206 STANLEY ROAD SUITE A
FORT SAM HOUSTON, TX 78234-5001

SEP 18 2009

Office of the Commander

T.C. Broadnax,
Assistant City Manager and Interim Director
Planning and Community Development
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283-3966

Robert Murdock, Brig. Gen. USAF (Ret.)
Director, Office of Military Affairs
City of San Antonio
PO Box 839966
San Antonio, Texas 78283-3966

Dear Mr. Broadnax and Mr. Murdock,

Thank you for the opportunity to respond to your staff's September 10, 2008, notification on Master Development Plan number 024-08 a 651 acre development (also referred to as Steubing Ranch) adjoining U.S. Highway 281, North of Loop 1604, and less than 3 miles east of Camp Bullis. We provide the following comments.

We recommend that measures be incorporated to sufficiently protect the Edwards Aquifer and karst features which may be inhabited by endangered species. These species are indicator species for the health of the aquifer. This tract is located in the Edwards Aquifer Recharge Zone. The Draft Bexar County Karst Invertebrates Recovery Plan (US Fish & wildlife Service, March 2008) discusses the Stone Oak Karst Faunal Area (KFA) within which the Steubing Ranch tract is located. See enclosed map from which it appears that the majority of the tract is within karst zone 1, with the remainder in karst zone 2 of the Stone Oak KFA. Zone 1 areas are known to contain listed invertebrate karst species. Zone 2 areas have a high probability of containing habitat suitable for listed invertebrate karst species. If many of the areas identified by US Fish & Wildlife Service (USFWS) in their March 2008 Draft Karst Invertebrate Recovery Plan for Bexar County are developed, then further restrictions may be placed on Camp Bullis' caves and karst features in order for the region to still meet species recovery goals. Thus karst issues off-post may affect training restrictions on-post.

Developing this tract may displace endangered species onto Camp Bullis. Surveys of golden-cheeked warblers, a federally listed endangered species, have shown a 50% increase on Camp Bullis in the past 5 years. We believe this is caused by the large-scale clear-cutting of oak and juniper trees within 5 miles of Camp Bullis. Increased populations on Camp Bullis trigger further Endangered Species Act restrictions on military training. About 10,000 of the 28,000 acres of Camp Bullis are potential habitat (3,300 acres are currently occupied habitat, and this increases as displacement occurs and increases the restrictions on our field training).



We believe that any development within 5 miles of Camp Bullis which involves substantial clear-cutting of thick stands of old growth juniper and oak trees should be preceded by an endangered species survey, as was done by the RIM developers this year for the 106 acre tract on the southwest corner of Camp Bullis. While we believe there is low potential for golden-cheeked warblers on most of this tract, there is an area in the southeastern portion that is mature woodland and could include protected habitat.

The majority of the Steubing Ranch tract is within the Camp Bullis 3 mile light buffer zone. Placing a large multi-use development in this location could also create many light issues for military training operations conducted on Camp Bullis if dark sky lighting is not used. Night-time lighting from new developments is already interfering with night vision goggle (NVG) training on Camp Bullis. Lighting causes a halo effect and can greatly reduce the effective distance for NVGs. Night training (land navigation, helicopters, etc) is done in many different areas of Camp Bullis.

Considering this tract's location in the Edwards Aquifer Recharge Zone and the high probability that listed invertebrate karst species are present, this is the most significant parcel that we have evaluated to date in terms of potential for the presence of endangered species and potential adverse impact on the Edwards Aquifer.

Our concerns on compatibility with Camp Bullis will be addressed as long as the developer: (1) has appropriate documentation -- recent endangered species surveys (not older than 3 years) conducted by a professional biological consultant IAW USFWS protocols showing that no endangered species are present; (2) sends the surveys to USFWS Ecological Services Office in Austin; and (3) commits to incorporate dark sky lighting measures (such as the July 22nd, 2008 Bexar County light order or proposed City of San Antonio equivalent) into their projects.

We note that the Master Plan review page states that the developer is seeking a zoning change that will double the development density on this tract. If that is the case, this offers an exceptional opportunity to condition application approval upon the developer's completion of points (1) - (3) in the preceding paragraph. This course of action would be consistent with Councilwoman Cibrian's intervention with respect to "The Rim" development in 2007. In that case, interested groups withdrew their opposition to the zoning change after the developer agreed to conduct a habitat study and to take other measures protective of the environment and Camp Bullis.

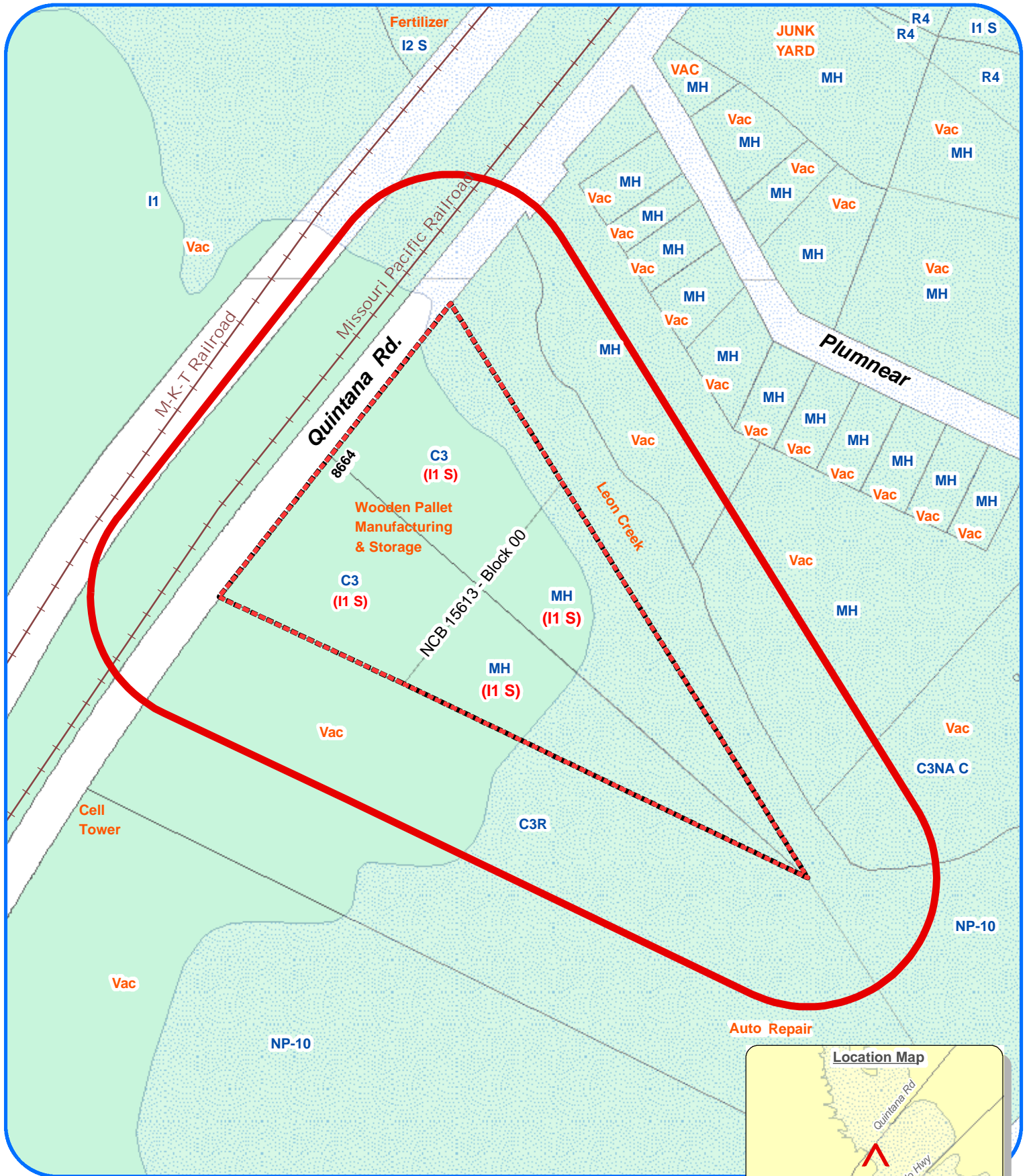
My points of contact are Mr. Phil Reidinger at (210) 221-1099 or 336-0449 (cell) or Mr. Jim Cannizzo (210) 295-9830.

Sincerely,



Mary E. Garr
Colonel, US Army
Garrison Commander

Enclosures



Zoning Case Notification Plan

Case Z2009022 S

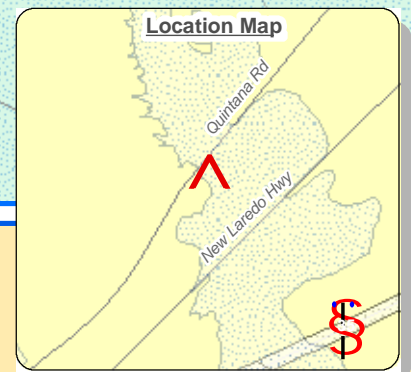
Council District 4

Scale: 1" approx. = 200'

Subject Property Legal Description(s): Parcel 52 and Parcel 52a, NCB 15613

Legend

- Subject Property (7.5 acres) -----
- 200' Notification Buffer —————
- Current Zoning C3, MH
- Requested Zoning Change (I1 S)
- 100-Year FEMA Floodplain ~~~~~



City of San Antonio
Planning - Development Services Dept.
10/31/2008
D. E. Castillo

CASE NO: Z2009022 S

Final Staff Recommendation - Zoning Commission

Date: July 07, 2009

Council District: 4

Ferguson Map: 680 E1

Applicant Name:

Elva Villarreal

Owner Name:

Elva & Carlos Villarreal

Zoning Request: From "C-3" General Commercial District and "MH" Manufactured Housing District to "I-1 S" General Industrial District with a Specific Use Authorization for Millwork and Wood Products Manufacturing.

Property Location: Parcel 52 and Parcel 52a, NCB 15613

8664 Quintana Road

On the east side of Quintana Road, approximately 450 feet south of Plumnear

Proposal: To bring the existing wooden pallet manufacturing and storage use into compliance

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis (TIA) is not required

Staff Recommendation:

Approval.

The subject property, located on the east side of Quintana Road south of Plumnear, is approximately 7.5 acres in size. There is an existing wooden pallet manufacturing and storage company on the site, which includes a small office space and a larger open shed. There are also multiple storage containers on the property. The subject property was annexed in 1994, per Ordinance 81105. The property was originally zoned "Temp R-1" Temporary Single Family Residence District. In a 1995 city-initiated zoning case, the southeast portion of the property was zoned "R-4" Manufactured Home Residence District, and the northwest portion was zoned "B-3" Business District. Upon adoption of the 2001 Unified Development Code, the previous zoning converted to "MH" Manufactured Housing District and "C-3" General Commercial District, respectively. Surrounding zoning includes "C-3R" General Commercial Restrictive Alcoholic Sales District abutting to the south; "I-1" General Industrial District and "I-2 S" Heavy Industrial District with a Specific Use Authorization to the west and north along the opposite side of Quintana Road; "NP-10" Neighborhood Preservation District abutting to the northeast with "MH" Manufactured Housing District and "R-4" Residential Single-Family District farther to the east and northeast; and "C-3NA C" General Commercial Nonalcoholic Sales District with a Conditional Use to the east. Abutting land uses include pasture and undeveloped land to the south, west, and north; with Leon Creek and undeveloped land to the northeast and east. Other surrounding land uses include a rendering plant to the north, a salvage yard to the northeast, a mobile home park to the east, auto repair to the southeast, and a cell tower to the southwest. The property is bordered by Leon Creek to the northeast, and two rail lines along the opposite side of Quintana Road to the west. A significant portion of the subject property and the surrounding properties are located within the flood plain. The applicant requests a zoning change in order to bring the existing pallet manufacturing and storage operation into compliance.

Staff finds the requested zoning and Specific Use Authorization to be appropriate. The subject property is surrounded by undeveloped land, agricultural and industrial uses, rail lines, and a state highway (US Hwy 81).

CASE NO: Z2009022 S

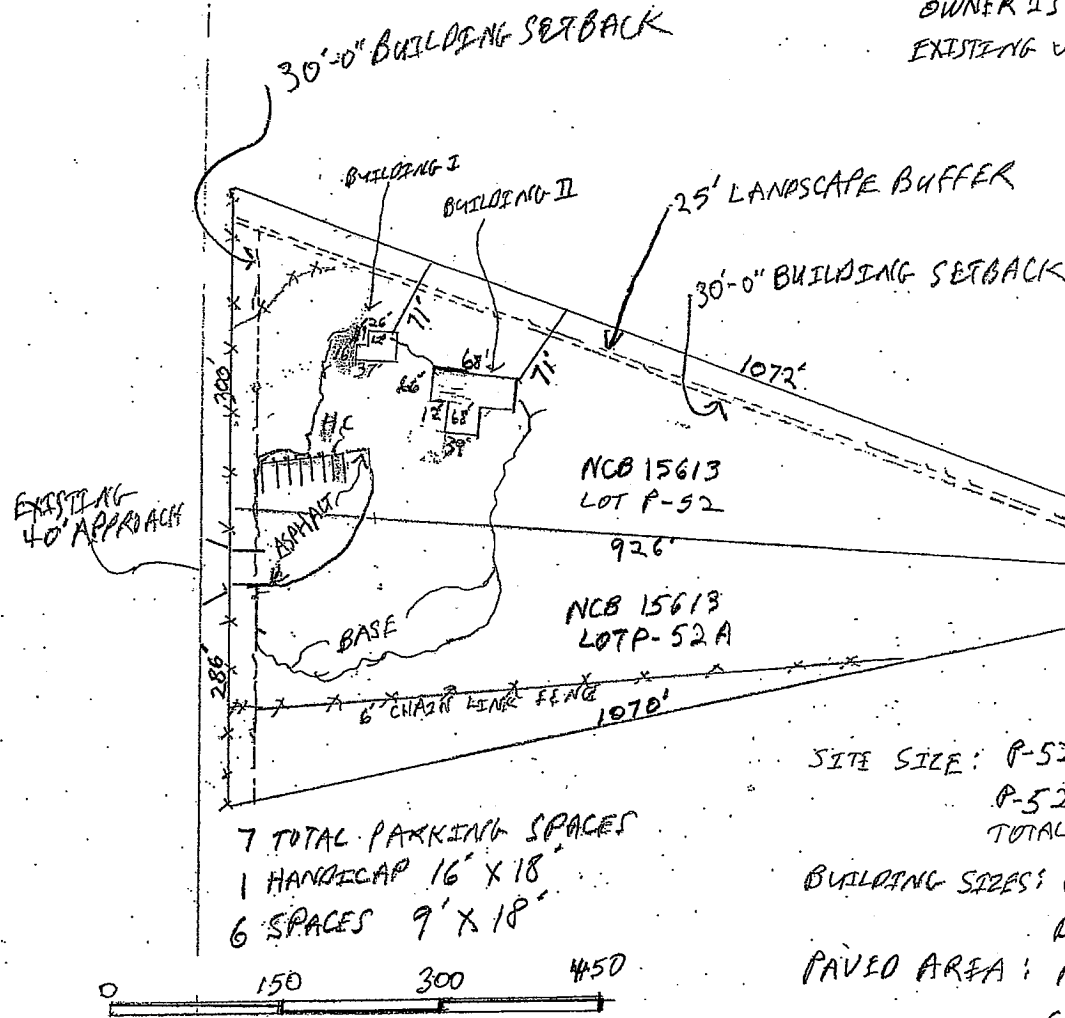
Final Staff Recommendation - Zoning Commission

The industrial uses in the area, including the rendering plant and the salvage yard, are more intense than the existing pallet operation. Although much of the property in the vicinity has residential zoning, the area is not appropriate for residential development as it is located within the floodplain. The pallet company has been operating without a Certificate of Occupancy, and was cited for the violation. As indicated by the site plan, there are no plans to expand the existing business beyond what may be required in order to bring the property into compliance.

CASE MANAGER : Micah Diaz 207-5876

Z2009022

EXISTING ZONING IS C-3 & MH
OWNER IS APPLYING FOR I-1 SUP
EXISTING USE IS WOODMILLWORKING



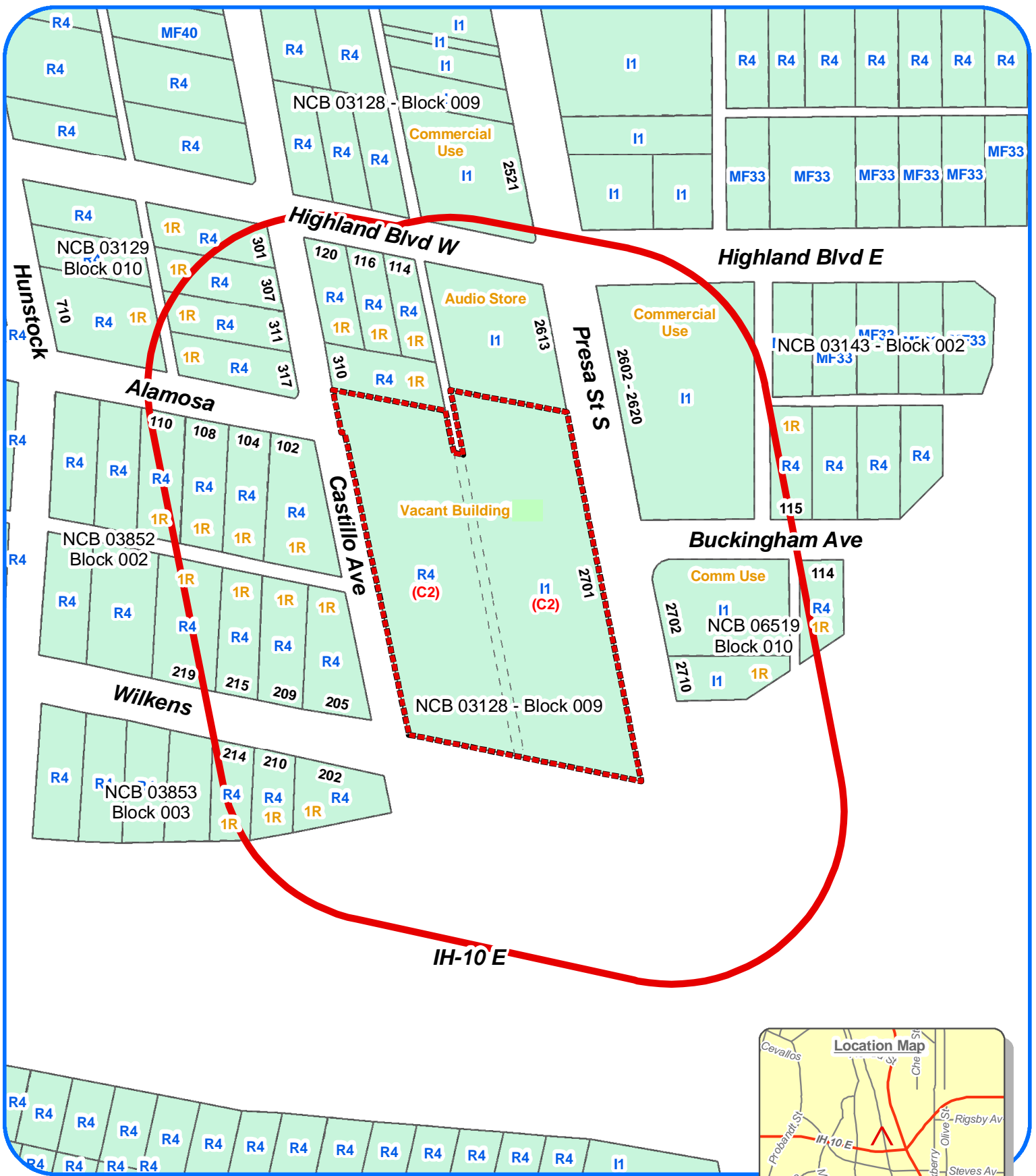
SITE SIZE: P-52 IS 3.75 ACRES
P-52A IS 3.75 ACRES
TOTAL AREA IS 7.5 ACRES

BUILDING SIZES: BUILDING I IS 904 SQ. FT.
BUILDING II IS 7,140 SQ. FT.

PAVED AREA: ASPHALT AREA IS APPROX 8,000 SF
CONCRETE APPROACH APPROX 600 SF
TOTAL IMPERVIOUS COVER IS 16,644 SF
TOTAL BASE AREA IS 44,200 SF
TOTAL IMPERVIOUS COVER W/BASE AREA IS 60,844 SF

7. The following statement is the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

BLU WILLIAMS JR. 6-10-09



IH-10 E

Zoning Case Notification Plan

Case Z-2009-094

Council District 5

Scale: 1" approx. = 150 Feet

Subject Property Legal Description(s): NCB 03128 - Block 009 - Lots 42, 43, 44, 87 & 88 and
NCB 03852 - Block 002 - Parcel Tr1 or A15

Legend

- Subject Property (2.461 Acres)
- 200' Notification Buffer
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year FEMA Floodplain



Planning & Development Services Dept
City of San Antonio
(04/27/2009 - E Hart)

Final Staff Recommendation - Zoning Commission

Zoning Commission continuance (Applicant's Request)
from May 19, 2009, June 2, 2009 and June 16, 2009.

Ferguson Map: 651 A1

Owner Name:

H. E. Butt Grocery Co., #6

Zoning Request: From "R-4" Residential Single-Family District and "I-1" General Industrial District to "C-2" Commercial District.

2701 South Presa Street

Northwest corner of South Presa Street and Wilkins Avenue

Proposal: To allow for a commercial project

Neigh. Assoc. Roosevelt Park Neighborhood Association

Neigh. Plan South Central San Antonio Community Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Approval

The subject property is located south of the Central Business District, on the west side of South Presa Street, north of Wilkins Avenue and Interstate Highway 10 East. The subject property consists of 2.461 acres and is located within the original city limits. There is an existing vacant commercial building on the subject property which measures approximately 22,027 square feet and was constructed in 1950 and expanded in 1998. Upon adoption of the 2001 Unified Development Code, the existing "R-4" Residential Single-Family District and "I-1" General Industrial District converted from the previous "B" Residence District and "J" Commercial District. Surrounding zoning includes "R-4" Residential Single-Family District and "I-1" General Industrial District to the north; with "I-1" General Industrial District across South Presa Street to the east. Property across Castillo Avenue to the west is zoned "R-4" Residential Single-Family District.

The applicant has applied for the "C-2" zoning in order to allow a commercial development. Staff finds the request to be appropriate given the subject property's location along this segment of South Presa Street, a major thoroughfare. The "C-2" Commercial District is an appropriate downzoning at this location from "I-1" General Industrial District. The existing structure had previously been utilized as an HEB Grocery Store for many years. The proposed re-use of the existing vacant property would be a substantial improvement to the current conditions of the neighborhood and the surrounding area. This rezoning request is consistent with the South Central Future Land Use Plan land use designation for the subject property.

The "C-2" zoning district permits retail and service activities designed to serve the community with no outdoor storage or display of goods permitted, except for outdoor dining.

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009094

Address: 2701 S. Presa St.

Existing Zoning: I1, R4

Requested Zoning: C2

Registered Neighborhood Association(s): Roosevelt Park

Neighborhood/Community/Perimeter Plan: South Central San Antonio Community Plan

Future Land Use for the site: Mixed Use

Analysis:

The subject property is a 2.461 acre site with a vacant building situated northwest of the intersection of South Presa Street and IH 37 S. The subject's future land use designation is mixed use, as are the parcels to the north and east of the subject property. The parcels to the west of the subject property are designated low density residential land use.

The South Central San Antonio Community Plan allows for both C1 and C2 zoning districts in the mixed use land use category. Mixed Use provides for a concentrated blend of residential, retail, professional service, office, entertainment, leisure and other related uses at increased densities to create a pedestrian-oriented environment. S. Presa Street is a secondary arterial type B and the intersection of a major arterial and an interstate is ideal for a high intensity use such as a shopping center. In addition, Objective 1 under the Economic Development Goal in the community plan is to "Develop and enhance the community's commercial corridors by improving streetscape appearances and recruiting businesses to employ and provide goods/services to residents" (pg. 9).

This zoning request is consistent with the South Central Future Land Use Plan land use designation for the subject property.

☒ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing

Staff Recommendation:

☒ Approval

☐ Denial

☐ Alternate Recommendation

Reviewer: Lauren Edlund

Title: Planner

Date: 04/23/09

Manager Review: Nina Nixon-Mendez

Date:

4/23/09



Zoning Case Notification Plan

Case Z-2009-112 CD

Council District 3

Scale: 1" approx. = 80 Feet

Subject Property Legal Description(s): NCB 03368 - Block 100 - Lot F

Legend

- Subject Property (0.1873 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year FEMA Floodplain

TEXT
(TEXT)



Planning & Development Services Dept
City of San Antonio
(06/01/2009 - E Hart)

CASE NO: Z2009112 CD

Final Staff Recommendation - Zoning Commission

Date: July 07, 2009 Zoning Commission continuance (Applicant's Request) from June 16, 2009.

Council District: 3

Ferguson Map: 651 D1

Applicant Name: Cynthia Y. Munoz

Owner Name: Cynthia Y. Munoz

Zoning Request: From "R-4" Residential Single Family District to "R-4 CD" Residential Single Family District with a conditional use to allow a professional office.

Property Location: Lot F, Block 100, NCB 3368
1044 Bailey Avenue
On the southwest corner of South Walters Street and Bailey Avenue

Proposal: To allow a professional office

Neigh. Assoc. Highland Park Neighborhood Association

Neigh. Plan Highlands Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Denial

The subject property is located on the southwest corner of South Walters and Bailey Avenue, which are both local streets. The subject property is .1873 of an acre and is occupied by a single-family dwelling that measures approximately 2686 square feet, which was constructed in 1930. The property is adjacent to R-4 zoning in all directions. The subject property was originally zoned "B" Residence District under the 1938 zoning code. Upon adoption of the 2001 Unified Development Code, the previous zoning converted to "R-4" Residential Single-Family District. The surrounding land uses consist of single-family residential uses to the north, south, east and west.

The applicant is requesting a zoning change to allow an office use. The subject property is surrounded by residential zoning and existing residential dwellings. The future land use designation for the subject property is Low Density Residential. The Low Density Residential land use category allows single-family houses on individual lots. Staff believes that an office use at this location would be contrary to the goals of the Highlands Community Plan. The Plan encourages uses that would enhance the aesthetic quality of the area and discourages commercial encroachment into residential areas. While the applicant contends that the use would be low-impact with a minimum number of employees, this zoning change would not guarantee that a future property owner would not make maximum use of the requested zoning district.

According to the amended site plan submitted by the applicant, they now propose to utilize only 600 square feet of the principal structure. Based on this square footage, the property would be required to provide a total of 2 parking spaces in order to accommodate the proposed use. The site plan submitted by the applicant is deficient in that it does not meet all the requirements for parking spaces listed in Section 35-526 of the Unified Development Code. Staff does not believe that the parking area shown can adequately serve this location.

While the amended request would limit the amount of space able to be used for the proposed office, the Planning and Development Services Department would have difficulty enforcing the site plan because the

CASE NO: Z2009112 CD

Final Staff Recommendation - Zoning Commission

requested zoning would continue to apply to the entire parcel of land. Additionally, while many improvements are being made to the current structure, upgrades will need to be made to the subject site to bring it up to commercial code. Further, the residential character expected in single-family residential neighborhoods would appear to be compromised as a result of this case.

Therefore, due to all of these factors, the requested zoning is not compatible with the surrounding area.

CASE MANAGER : Brenda Valadez 207-7945

BAILEY AVE

WALTERS AVE

CRUB

WROUGHT IRON FENCE
GATE

PROPERTY LINE

25' BUILDING SET BACK LINE

WROUGHT IRON FENCE

WROUGHT IRON FENCE

CRUB

1044 Bailey Ave
San Antonio, Texas 78210
Lot F, Block 100
N. C. B. 3368

GATE

10'X30'
CONCRETE PORCH

11.4

7.2'

1st and 2nd FLR
HOUSE LINE

AC

2ND FLR HOME OFF SPACE
600 SQ. FT.
1ST FLOOR RESIDENTIAL
SPACE BELOW

CONCRETE

CONCRETE
APRON

GARAGE/STORAGE
FIRST FLOOR

ESNT GAS, ELEC, TELE

ESNT GAS, ELEC, TELE

PROPERTY LINE

CHAIN LINK FENCE

GATES

DRIVEWAY

PARKING
612 SQ. FT.

GARAGE AND DRIVE WAY

BAILEY AVENUE
Z2009112
(60' R.O.W.)

SCALE: 1"=20'

LOT F
BLOCK 100
N. C. B. 3368
7050 SQ. FT.
0.162 ACRES

SOUTH WALTERS STREET
(60' R.O.W.)

TWO STORY
BRICK & SIDING

NOTE:
METAL SHED PROTRUDES
ONTO LOT E

LONG DESSIE M
NCB 3368 BLK 100 LOT K-L
0.1352 AC

NOTE:
THE ORIGINAL PLAT OF RECORD IS WITHOUT BEARINGS.
THIS IS REPRESENTATION OF THIS SURVEYOR'S BEST
INTERPRETATION OF RECORD INFORMATION.

NOTE:
BEARINGS SHOWN HEREON ARE ASSUMED

THIS PLAT IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS,
AGREEMENTS, AND/OR SETBACK LINES (IF ANY) AS FOLLOWS:
VOLUME 313, PAGE 592, DEED RECORDS, VOLUME 980, PAGE 19,
DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

PROPERTY ADDRESS

1044 BAILEY AVENUE

BORROWER

CYNTHIA MUNOZ

As noted from FEMA's FLOOD INSURANCE RATE MAP, Community No. 480250, Panel No. 0455F, Panel Dated 08-18-02, this tract is in Zone(s) X and is not in a special flood hazard zone, as that term defined by FEMA. This flood zone identification is this surveyor's interpretation, which may or may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. This surveyor does not certify the accuracy of this flood zone designation. It is the responsibility of any interested persons to verify the accuracy of the flood zone designation with FEMA and state and local officials. Because this is a boundary survey, the surveyor did not take any actions to determine the flood status of the surveyed property other than interpret the status off of FEMA's FIRMA. This surveyor is not responsible for misinterpreting the flood zone designation or any flood information printed on this survey. This surveyor is not aware of or responsible for determining the tract's flood risk, its intended function or suitability for any use whatsoever.

PROPERTY DESCRIPTION

LOT F, BLOCK 100, NEW CITY BLOCK 3368, OF HIGHLAND PARK, AN ADDITION TO THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 980, PAGE 19, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

LEGEND

- O = SET 1/2" IRON ROD WITH CAP STAMPED WESTAR
- = END 1/2 IRON ROD
- () = RECORD INFORMATION
- B.S. = BUILDING SETBACK
- C.M. = CONTROLLING MONUMENT
- = WOOD FENCE
- ⊙ = POWER POLE
- = OVERHEAD ELECTRIC
- = CHAIN LINK FENCE
- ⊗ = FIRE HYDRANT



I, JOSE ANTONIO TREVINO, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief, except as shown hereon.

JOSE ANTONIO TREVINO

Westar
Alamo
LAND SURVEYORS, LLC
P.O. BOX 1036 HELOTES, TEXAS 78023-1036

R-4
R-4 CD
for office

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009112

Address: 1044 Bailey Avenue

Existing Zoning: R-4

Requested Zoning: R-4 CD (Professional Office)

Registered Neighborhood Association(s): Highland Park Neighborhood Association

Neighborhood/Community/Perimeter Plan: Highlands Community Plan

Future Land Use for the site: Low Density Residential

Analysis:

The subject property is an 8,160 square foot corner lot located southwest of the intersection of Bailey Avenue and South Walters Street (both local streets). The subject property is occupied by a 2,686 square foot structure classified by BCAD as a single-family residence. The parcels to the north (across Bailey Avenue), east (across South Walters Street), south and west are all occupied by single-family residential dwellings. All of these properties, including the subject property, are zoned R-4. The nearest parcel with a non-residential zoning classification is situated 2 blocks to the north and 1 block to the west on East Highland Boulevard.

The subject property is currently designated for Low Density Residential Land Use. The Low Density Residential land use classification includes single-family houses on individual lots. Certain non-residential activities, such as schools, places of worship and parks, are appropriate within this category and should be centrally located to provide easy accessibility.

The applicant is requesting a conditional use for a professional office be attached to the existing R-4 zoning on the subject property. This zoning request does not include a change to the base zoning so a finding of consistency is not required.

- ☐ Request conforms to Land Use Plan ☐ Request does not conform to Land Use Plan
☒ Consistency not required because base zoning not changing

Staff Recommendation:

- ☐ Approval, pending plan amendment ☒ Denial
☐ Alternate Recommendation

Objective 1.4 of the Plan is to: "Ensure new and existing businesses conform appropriately to the scale, design and character of the community, enhancing it aesthetically whenever possible". A professional office at this location would not be consistent with the character of the immediate area, which is decidedly single-family residential. Based on the required minimum parking ratio of 1 space per 300 square feet, the owner or subsequent owner may be required to provide up to 9 off-street parking spaces if the entire structure is utilized as office space. A parking area of this size would detract from the character of the area. The noise and traffic generated by the proposed use could also create conflicts with abutting properties. A home occupation may be operated at the subject property without a change to the base zoning and would be subject to restrictions designed to minimize the potential for conflicts with adjacent residences.

Reviewer: Michael Taylor

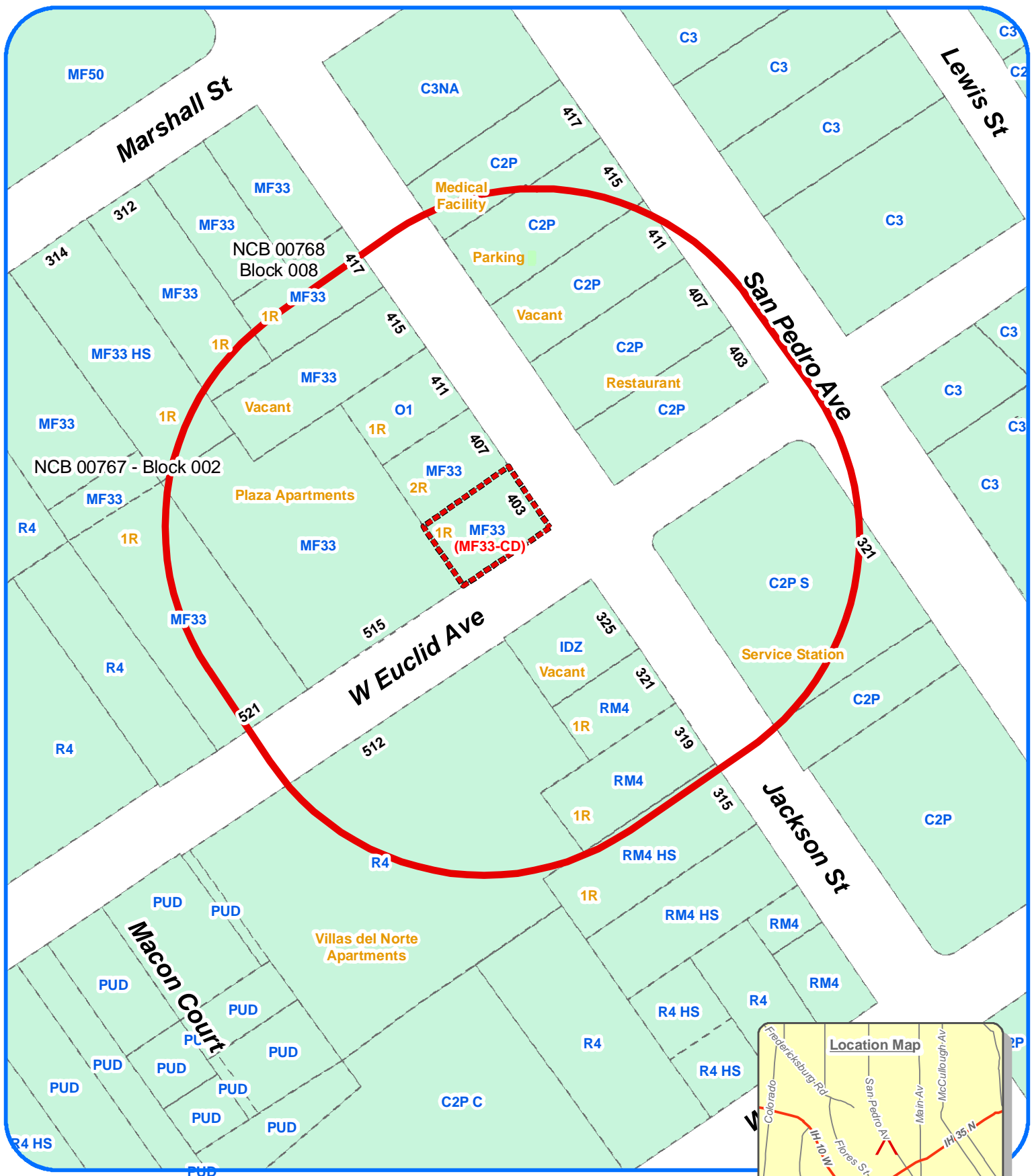
Title: Senior Planner

Date: 5/21/09

Manager Review: Andrea Gilles

Date: 5/22/09

12/30/04



Zoning Case Notification Plan

Case Z-2009-114CD

Council District 1

Scale: 1" approx. = 120 Feet

Subject Property Legal Description(s): NCB 00768 - Block 008 - Lot 1

Legend

- Subject Property (0.107 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year FEMA Floodplain

TEXT
(TEXT)



Planning & Development Services Dept
City of San Antonio
(06/09/2009 - E Hart)

CASE NO: Z2009114 CD

Final Staff Recommendation - Zoning Commission

Date: July 07, 2009

Council District: 1

Ferguson Map: 616 E3

Applicant Name:

Owner Name:

Julio C. Alvarado

Julio C. Alvarado

Zoning Request: From "MF-33" Multi-Family District to "MF-33 CD" Multi-Family District with a Conditional Use for a Fruit Stand.

Property Location: East 80.7 feet of Lot 1, Block 8, NCB 768

403 Jackson Street

At the west corner of the intersection of Jackson Street and West Euclid Avenue.

Proposal: To allow for a Fruit Stand (Food Service Establishment)

Neigh. Assoc. Five Points Neighborhood Association.

Neigh. Plan Five Points Neighborhood Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

Denial

The subject property is located north of the Central Business District, on the west corner of the intersection of Jackson Street and West Euclid Avenue, north of Interstate Highway 35 North. The subject property consists of .1070 of an acre and is located within the original city limits. There is an existing single-family dwelling on the subject property which measures approximately 888 square feet and was constructed in 1936. Upon adoption of the 2001 Unified Development Code, the existing "MF-33" Multi-Family District converted from the previous "D" Apartment District. Surrounding zoning includes "MF-33" Multi-Family District to the northwest and southwest; with "C-2P" Commercial Pedestrian District across Jackson Street to the northeast. Property across West Euclid Avenue to the southeast is zoned "IDZ" Infill Development District. Immediately to the southwest of the subject property is a multi-family complex; to the northwest a two-family dwelling. A Mexican restaurant is located across Jackson Street to the northeast and there is vacant land across West Euclid Avenue to the southeast.

The applicant has applied for a Conditional Use in order to operate a fruit stand from the existing home. The Five Points Neighborhood Plan currently designates the subject property as Mixed Use/Office Land Use. Mixed Use/Office land use includes offices (i.e. dentists, insurance agencies, and nonprofit organizations) duplexes, 3 to 4 family dwellings, apartments or townhouses. A goal of the Five Points Neighborhood Plan is to preserve the existing housing stock. The pending Five Points Neighborhood Plan Update indicates that a commercial encroachment into the residential neighborhood is not desired. In addition to concerns of commercial encroachment, the requested "MF-33 CD" zoning is not an appropriate request given that the subject property fronts Jackson Street, a local access street. Staff believes that a food establishment use at this location would not advance the goals of the Five Points Neighborhood Plan. The Plan encourages uses that would enhance the aesthetic quality of the area, and discourages commercial encroachment into residential areas.

The conditional zoning procedure is designed to provide for a land use within an area that is not permitted by

CASE NO: Z2009114 CD

Final Staff Recommendation - Zoning Commission

the established zoning district but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2009114 CD

Address: 403 Jackson

Existing Zoning: MF-33

Requested Zoning: MF-33 CD

Registered Neighborhood Association(s): Five Points Neighborhood Association

Neighborhood/Community/Perimeter Plan: Five Points Neighborhood Plan

Future Land Use for the site: Mixed Use / Office

Analysis:

The subject property is a 0.107 acre corner lot located southwest of the intersection of Jackson and West Euclid Avenue (both local streets). The subject property is occupied by an 888 square foot structure classified by BCAD as a single-family residence. The parcels to the north and west are occupied by residential dwellings. The parcel to the south is vacant, and the parcel to the east is occupied by community commercial. An elementary School is located 4 parcels southwest of the subject property on West Euclid Ave.

The subject property is currently designated for Mixed Use/Office Land Use. Mixed Use/Office includes offices (i.e. dentists, insurance agencies, and nonprofit organizations) duplexes, 3 to 4 family dwellings, apartments or townhouses. Office uses and residential uses can exist within the same structure. The applicant is requesting a conditional use for a fruit stand be attached to the existing MF-33 zoning on the subject property. This zoning request does not include a change to the base zoning so a finding of consistency is not required.

The requested commercial use is not envisioned for this location. A commercial encroachment into the residential neighborhood is not desired by the plan. Goal 3 of the pending Plan Update is the "preserve the existing housing stock" (pg 18). One of the current neighborhood plan's goals is to "Preserve, rehabilitate and improve the housing stock" (pg 8). This single family residential structure was recently renovated and sold as a residence, and converting it to a business would contradict the neighborhood's expressed goals and objectives for future development. Also, a parking plan for the requested conditional commercial use is not available.

☐ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☒ Consistency not required because base zoning not changing

Staff Recommendation:

☐ Approval

☒ Denial

☐ Alternate Recommendation

Reviewer: Lauren Edlund

Title: Planner

Date: 6/4/09

Manager Review: Nina Nixon-Mendez

Date: 6/11/09

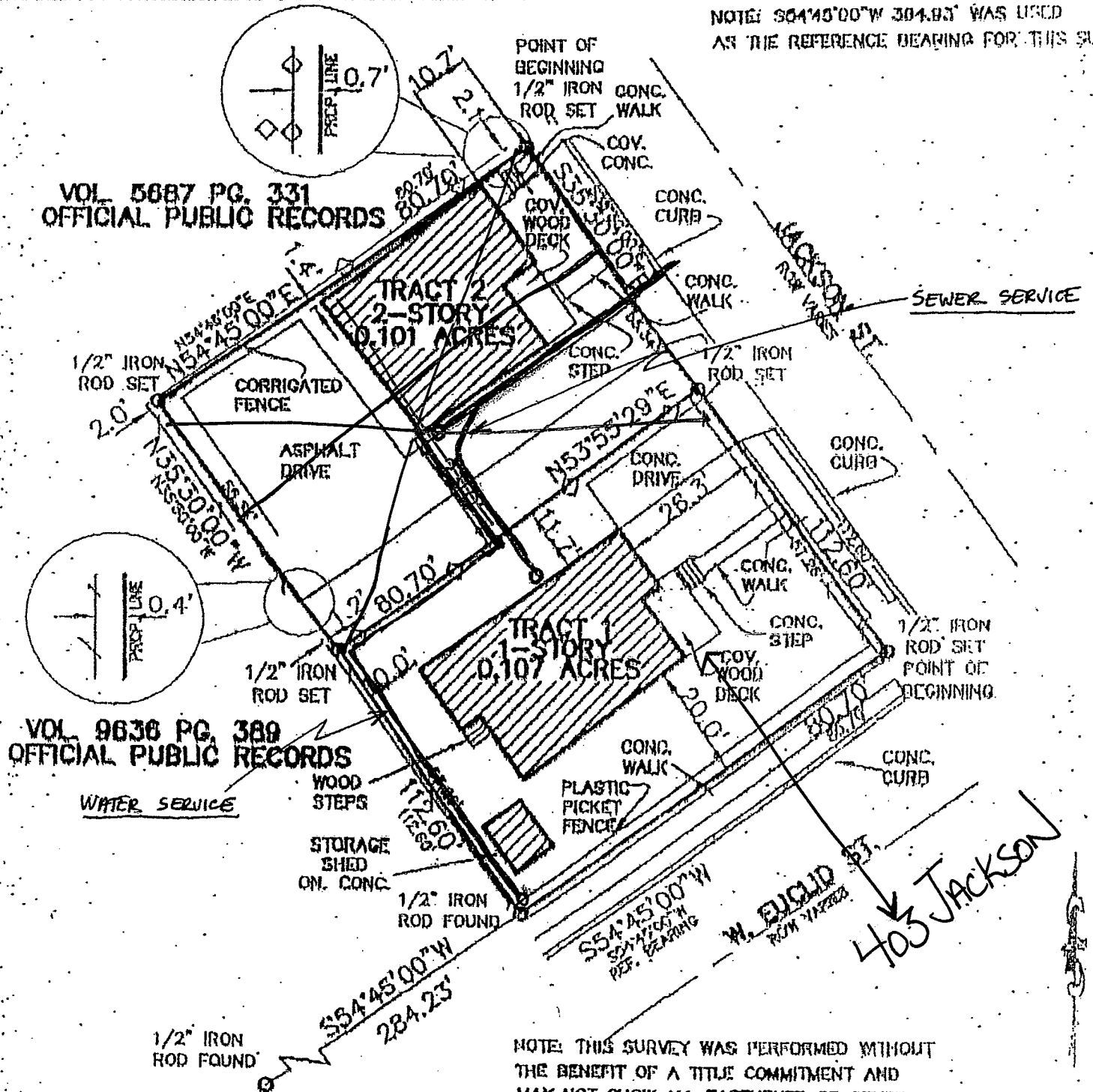
Z2009114**EXHIBIT "A"**

TO RECORDED RESTRICTIVE COVENANTS AND/OR EASEMENTS AS FOLLOWS:

PAGE	RECORDS	VOL.	PAGE	RE
PAGE	RECORDS	VOL.	PAGE	RE

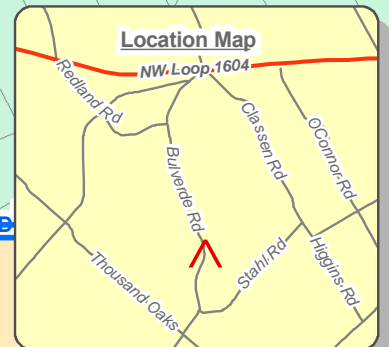
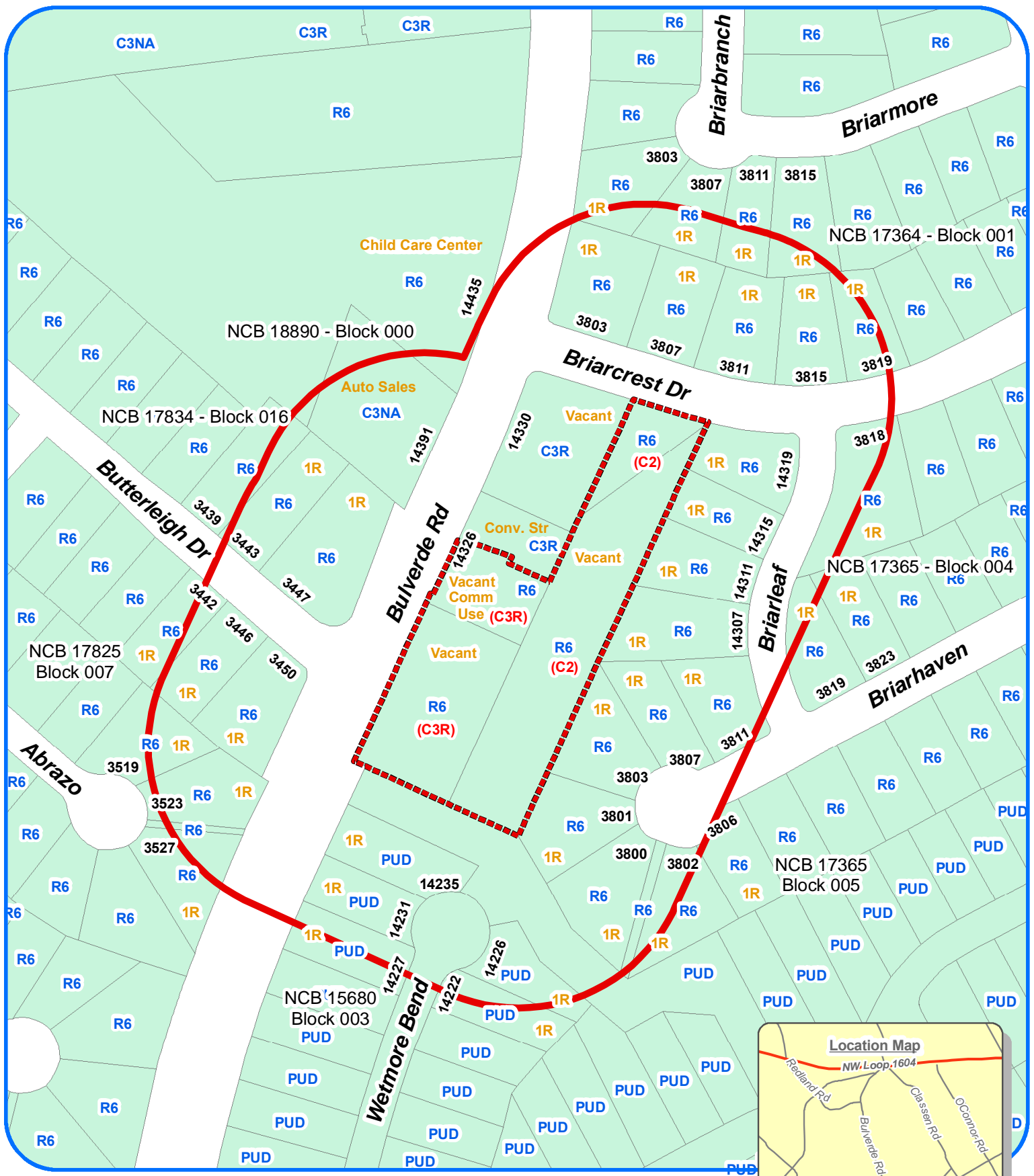
RECORD INFORMATION	S45°00'00"W 100.00'	AS MEASURED IN FIELD	X BARBED WIRE	△ SMOOTH WIRE	W	WAT
			o PLASTIC FENCE	o CHAIN LINK FENCE		

NOTE: S04°45'00"W 304.83' WAS USED
AS THE REFERENCE BEARING FOR THIS SURVEY



A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, OF THE PROPERTY DESCRIBED HEREON. I FURTHER CERTIFY THAT ENCROACHMENTS, EASEMENTS AND RIGHT-OF-WAYS VISIBLE ON THE ARE SHOWN HEREON. SETBACKS AND EASEMENTS

***Exhibit A
continued on
next page.**



Zoning Case Notification Plan

Case Z2009115

Council District 10

Scale: 1" approx. = 150 Feet

Subject Property Legal Description(s): NCB 17365, Block 005, South 61.72 ft of Lot 29 and NCB 15680, Parcel P-30C, and 0.559 acres out of NCB 15680, and 1.081 acres out of NCB 15680 and NCB 17365

Legend

- Subject Property (1.865 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year FEMA Floodplain

TEXT
(TEXT)



Planning & Development Services Dept
City of San Antonio
(06/17/2009 - E Hart)

CASE NO: Z2009115

Final Staff Recommendation - Zoning Commission

Date: July 07, 2009

Council District: 10

Ferguson Map: 518 B8

Applicant Name:

Owner Name:

Brown & Ortiz, PC (C/O James Griffin)

WF Partnership, DF Partnership, and Obanion Enterprises, Inc.

Zoning Request: From "R-6" Residential Single Family District to "C-2" Commercial District (on 1.081 acres) and "C-3R" General Commercial Restrictive Alcohol Sales District (on 0.784 of an acre).

Property Location: Parcel 30-C, NCB 15680 (0.0352 ac) and the south 61.72 feet of Lot 29, Block 5, NCB 17365; 1.081 acres out of NCB 15680 and NCB 17365 (CB 5014); and 0.559 of an acre out of NCB 15680 (CB 5014)

A portion of the 13000 and 14000 blocks of Bulverde Road

An "L" shaped area within the southeast corner of Bulverde Road and Briarcrest Drive

Proposal: To allow a retail center

Neigh. Assoc. Eden Home Owners Association & San Antonio St. James Place Home Owners Association Inc. (both within 200 feet)

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis (TIA) is not required

Staff Recommendation:

Denial of "C-3 R" on 0.784 of an acre, approval of "C-2" on 1.081 acres; with an alternate recommendation of "C-2" on the entire subject property.

The subject property, consisting of three tracts totaling 1.87 acres, is an "L" shaped area within the southeast corner of Bulverde Road and Briarcrest Drive. Two of the three lots are undeveloped, while the third lot contains a 1,650 square foot vacant commercial structure that was previously used for auto sales. The subject property was annexed in 1985, per Ordinance 61612. The subject property was originally zoned "Temp R-1" Temporary Single Family Residence District. Upon the adoption of the 2001 Unified Development Code, the previous zoning converted to the current "R-6" Residential Single-Family District. Surrounding zoning includes "C-3R" General Commercial Restrictive Alcoholic Sales District abutting to the north; "C-3NA" General Commercial Nonalcoholic Sales District across Bulverde Road to the northwest; "R-6" Residential Single-Family District to the north, east, and southwest; with "PUD R-6" Planned Unit Development Residential Single-Family District to the south. Surrounding land uses include a convenience store/gas station abutting to the north with undeveloped property and single family homes farther to the north; auto sales and a childcare center to the northwest; with single-family homes to the east, west, and south. A city-owned drainage right-of-way abuts the subject property to the south. The applicant requests a zoning change to allow development of a commercial strip center.

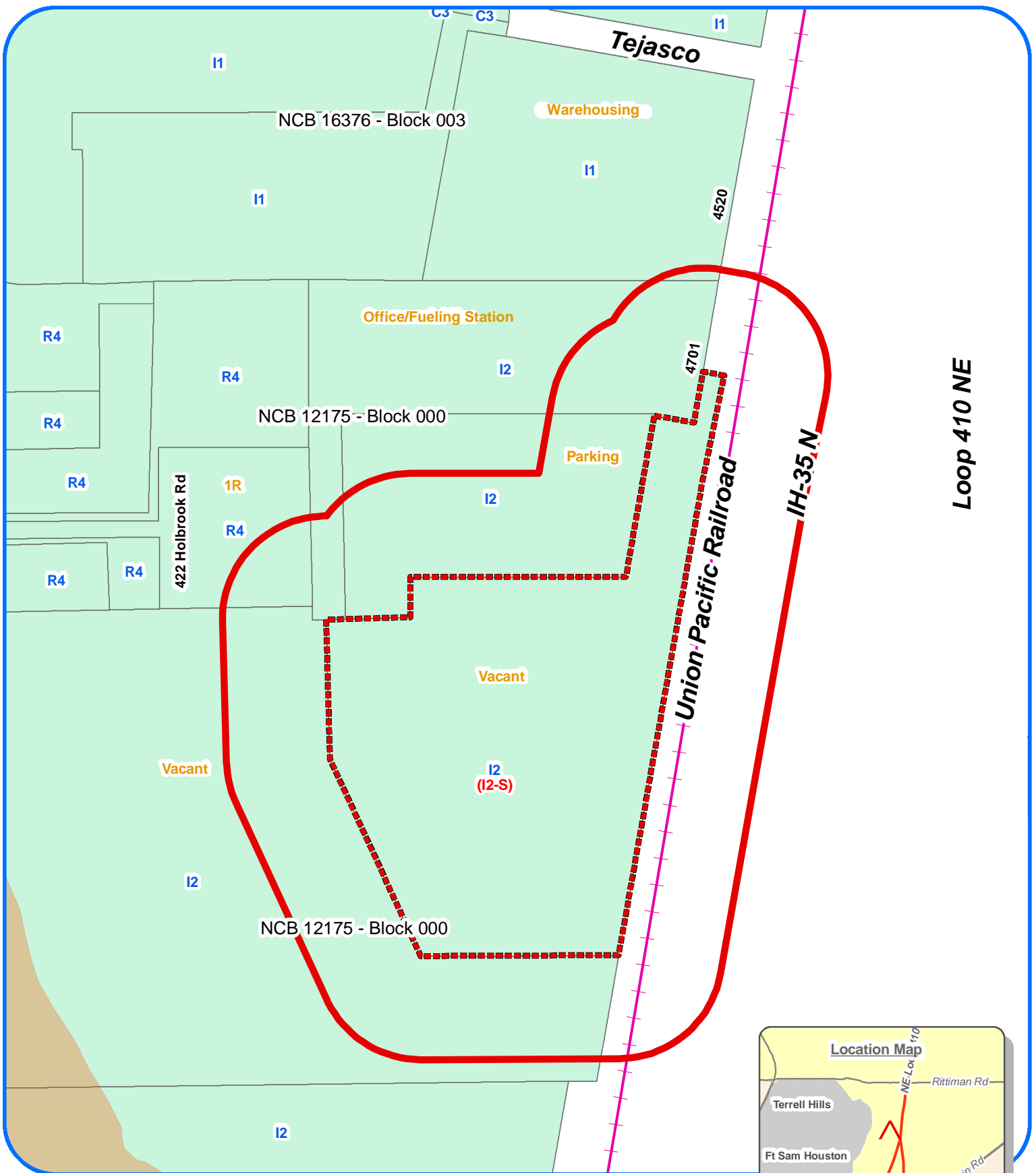
Staff finds the requested "C-3R" zoning to be too intense for the subject property's location. "C-3" zoning is typically consistent with Regional Commercial land uses which are most appropriately located at the intersections of major arterials and expressways. Bulverde Road is identified as a major arterial in the City's Major Thoroughfare Plan; however, Briarcrest Drive is a local residential street that serves as a main entrance to the abutting residential subdivision. "C-3R" zoning does abut the subject property, but the zoning dates back a number of years, and staff does not support adding more General Commercial zoning in the area.

CASE NO: Z2009115

Final Staff Recommendation - Zoning Commission

Staff does not oppose commercial development of the subject property, as its frontage on a major arterial, its configuration, and the surrounding commercial development make residential development unlikely and inappropriate. Therefore, staff makes an alternate recommendation of "C-2" for the entire subject property. The less-intense "C-2" district allows for commercial development that would be more to scale with the neighboring residential subdivision.

CASE MANAGER : Micah Diaz 207-5876



Zoning Case Notification Plan

Case Z-2009-116 S

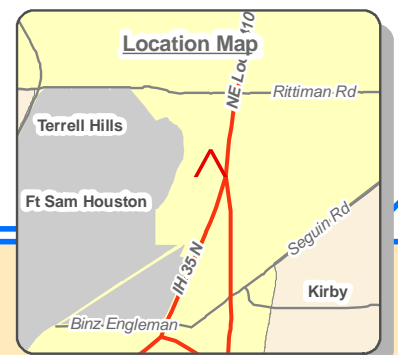
Council District 2

Scale: 1" approx. = 250 Feet

Subject Property Legal Description(s): 10.31 acres out of NCB 12175

Legend

- Subject Property (10.31 Acres) ■■■■■
- 200' Notification Buffer —————
- Current Zoning TEXT
- Requested Zoning Change (TEXT)
- 100-Year FEMA Floodplain



Planning & Development Services Dept
City of San Antonio
(06/09/2009 - E Hart)

CASE NO: Z2009116 S

Final Staff Recommendation - Zoning Commission

Date: July 07, 2009

Council District: 2

Ferguson Map:

Applicant Name:

4M Properties Inc.

Owner Name:

4M Properties Inc.

Zoning Request: From "I-2" Heavy Industrial District to "I-2 S" Heavy Industrial District with a Specific Use Authorization to allow a Bulk Plant or Terminal.

Property Location: 10.31 acres out of NCB 12175

4700 Block of IH 35 North

On the west side of IH 35 North, between Tjasco to the north and Petroleum Drive to the south.

Proposal: To allow for a fuel storage and distribution facility.

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property measures approximately 10.31 acres and is vacant with the exception of a portion of the property which is utilized for rail car storage, maintenance and repair. The property is adjacent to I-2 zoning to the north, west and south and R-4 zoning to the northwest. The subject property was originally zoned "LL" First Manufacturing District under the 1938 zoning code. Upon adoption of the 2001 Unified Development Code, the previous zoning converted to "I-2" Heavy Industrial District. The surrounding land uses consist of a fueling station and warehouses to the north, undeveloped land to the south, residential dwellings to the northwest and the Union Pacific Railroad line to the east.

The applicant is requesting a zoning change to allow an ethanol terminal facility, which requires a Specific Use Authorization in I-2 zoning districts. The applicant has indicated to staff that the project will be developed in phases. The facility will be utilized for the transfer of ethanol fuel from rail cars to tanker trucks for delivery to gasoline terminal facilities. Additionally, the construction of two storage tanks is proposed to allow for the storage of the ethanol in order to avoid terminal disruptions should rail traffic be disrupted.

Staff finds the request for a Specific Use Authorization to be appropriate given the subject property's location along IH 35 North (a freeway) and the prevalence of industrial zoning and uses to the north. Additionally, the proposed zoning district and use of the property are consistent with the current development pattern along this portion of IH 35 North as there are parcels in the immediate vicinity which may be developed with these types of uses in the future since they are currently zoned industrial. The subject property is bound by existing industrial zoning to the north and south and the rail line to the east making industrial development of the property appropriate.

CASE MANAGER : Brenda Valadez 207-7945

GRAPHIC SCALE
1 inch = 50 ft.

LINE TABLE

LINE	DESCRIPTION	DATE
1	EXISTING	10/1/88
2	PROPOSED	10/1/88
3	REVISION	10/1/88

LEGEND

- EXISTING LIGHT
- EXISTING LIGHT POLE
- EXISTING PARKING
- EXISTING PARKING TRUCKS
- EXISTING CHALK LINE
- EXISTING 3-1/2" WATER LINE
- EXISTING 1-1/2" WATER LINE
- EXISTING 8" SANITARY SEWER LINE
- EXISTING HIGH VOLTAGE TOWER

ACREAGE TABLE

PROJECT AREA	15.3 ACRES
EXISTING CHALK (1)	15.3 ACRES
EXISTING CHALK (2)	0.00 AC
PHASE 1 LOADING AREAS (2)	4,000 SF
PHASE 1 POND	1,500 SF
PHASE 2 LOADING STRUCTURES (2)	8,000 SF
PHASE 3 TANK (4)	81,000 SF
PHASE 4 TANK (4)	81,000 SF

NOTES

- (1) SITE IS CURRENTLY PAVED.
- (2) AREA AT TRUCK LOADING SUBJECT TO CONFIRMATION.
- (3) AREA AT TRUCK BACK SUBJECT TO CONFIRMATION.
- (4) AREA OF TANK SUBJECT TO CONFIRMATION.

U.S. DEVELOPMENT SAN ANTONIO FACILITY
SPECIAL USE PERMIT SITE PLAN

OWNER: U.S. DEVELOPMENT, INC.
1500 N. DALLAS ST., SUITE 200
DALLAS, TEXAS 75201
TEL: (214) 641-8888
FAX: (214) 641-8889

DESIGNED BY: ADL
DRAWN BY: PM
APPROVED BY: ADL

PROJECT NO.: 00000000